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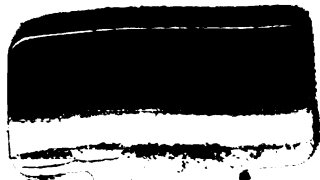
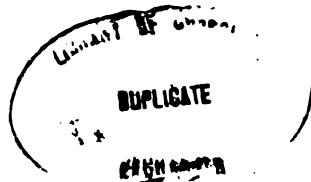
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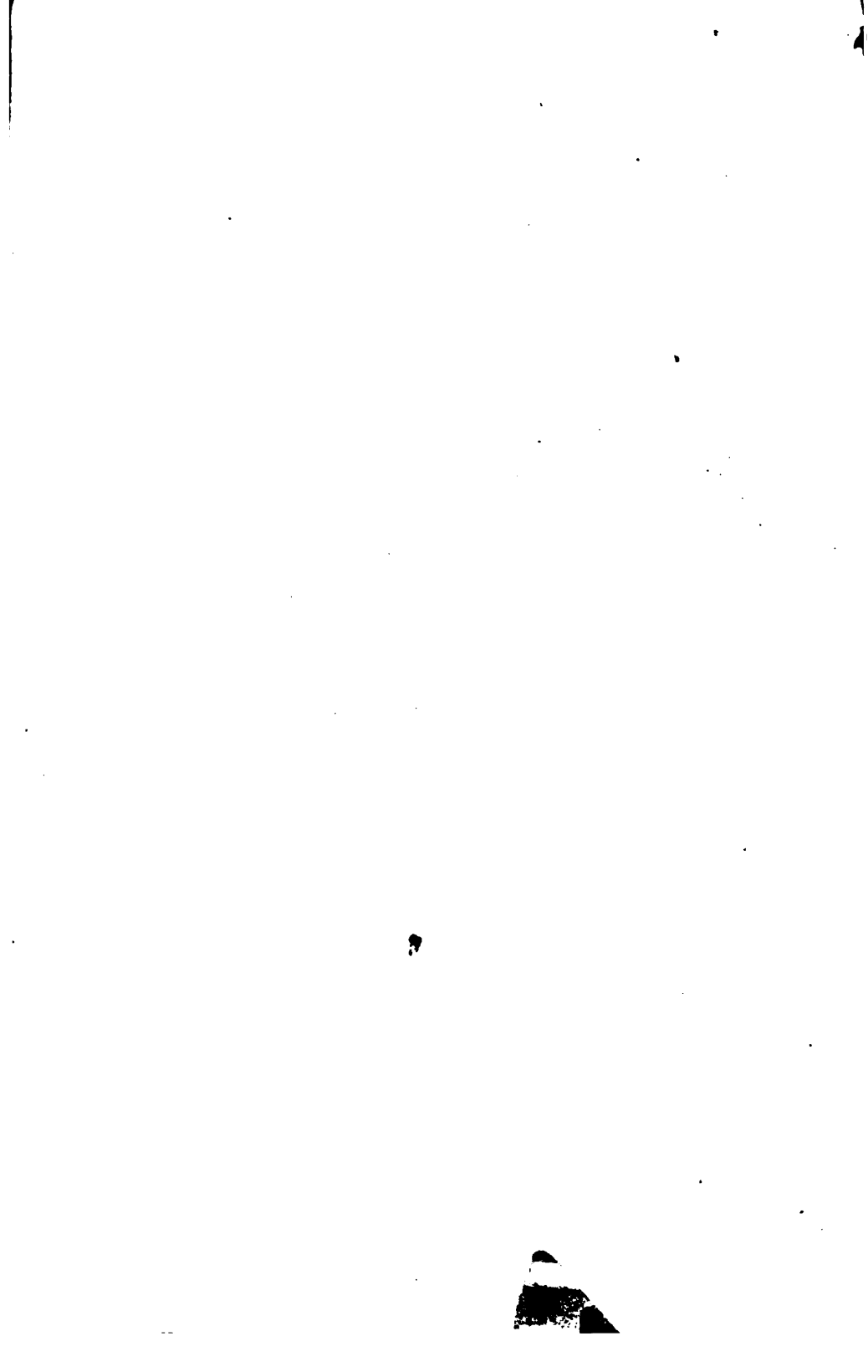
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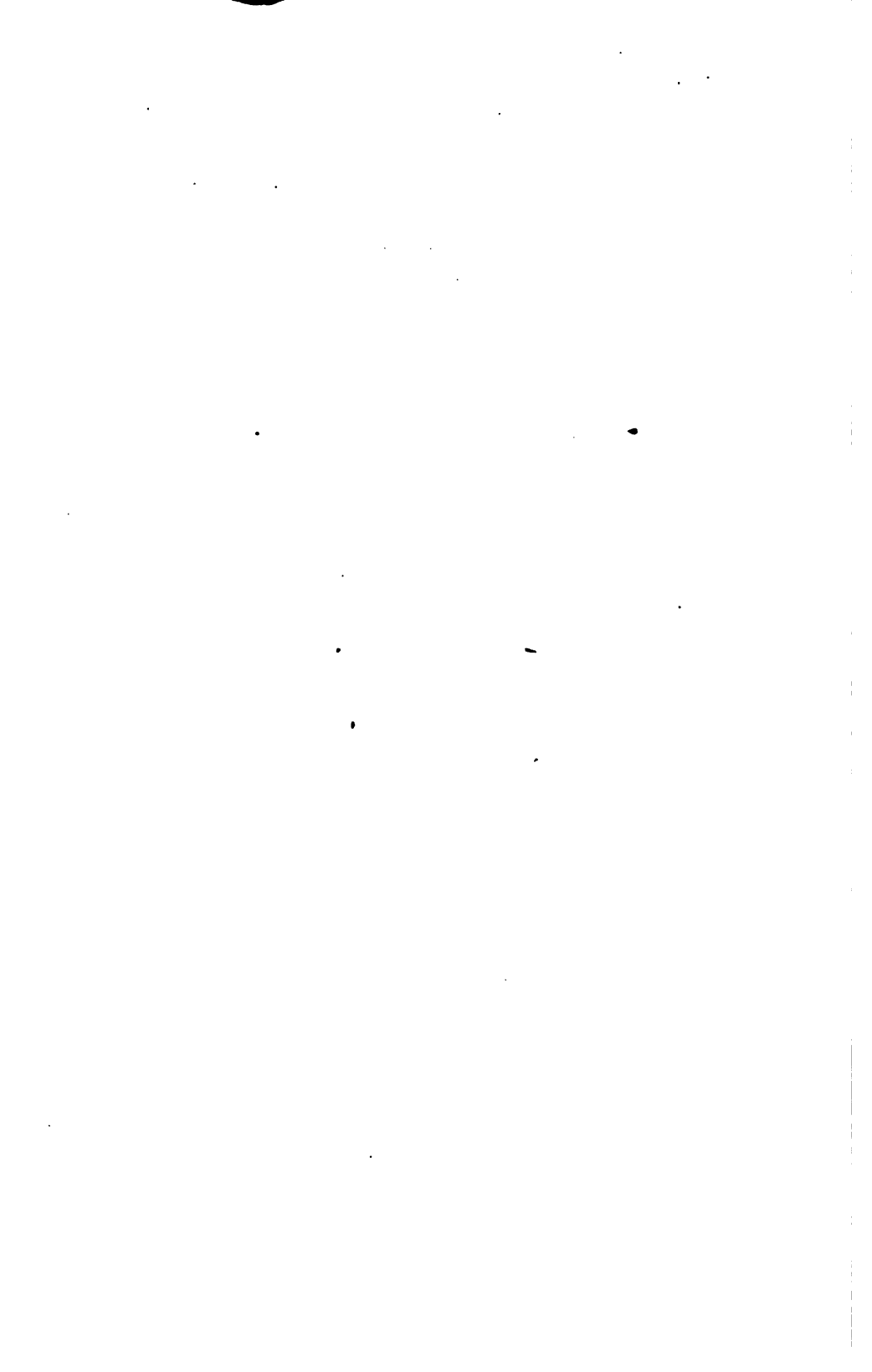
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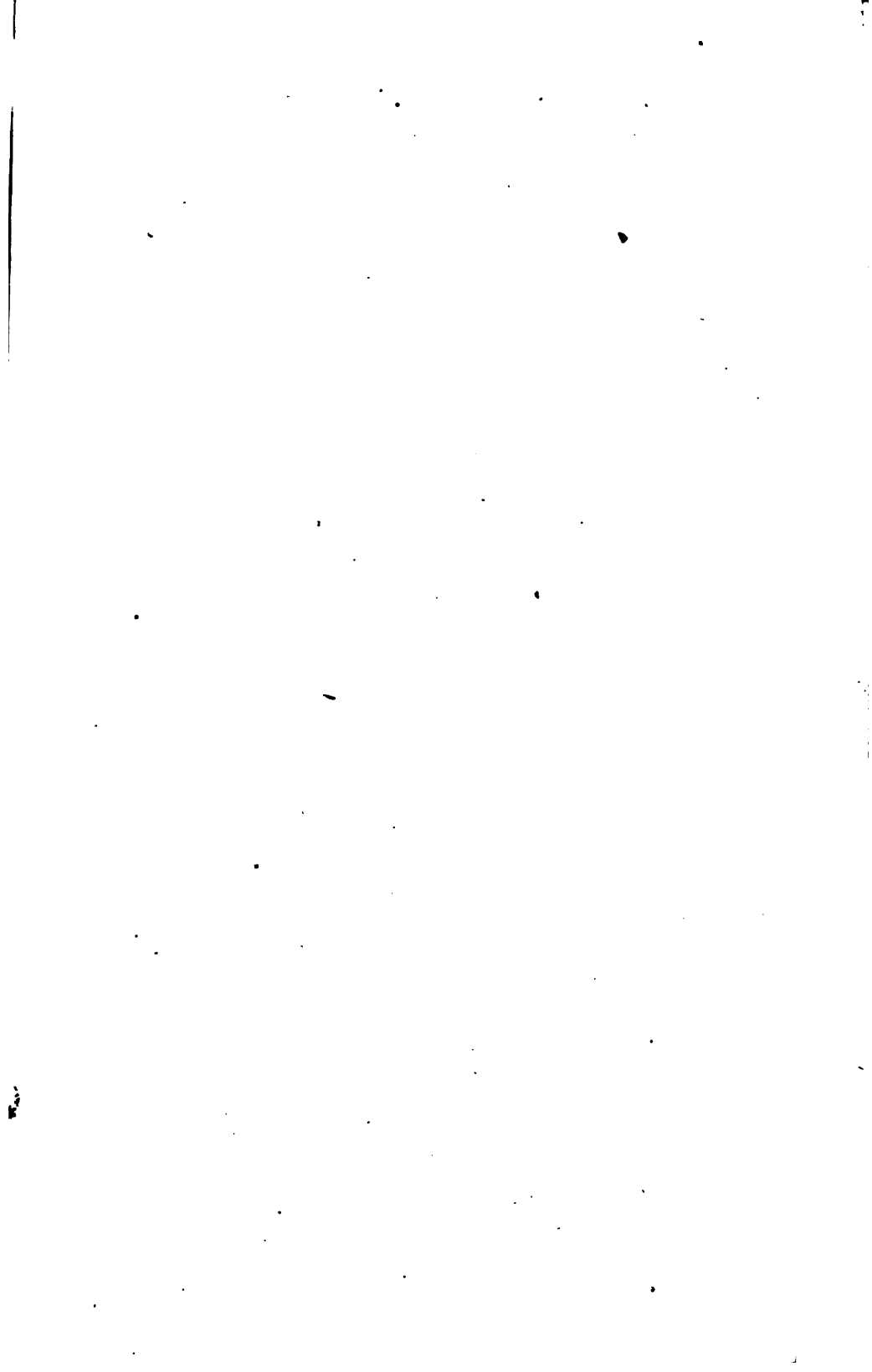


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JOURNAL

OF THE

A S S E M B L Y

OF THE

STATE OF NEW YORK:

AT THEIR

ONE HUNDRED AND THIRD SESSION.

BEGUN AND HELD AT THE CAPITOL, IN THE CITY OF ALBANY, ON THE
SIXTH DAY OF JANUARY, 1880.

VOLUME II.



ALBANY:
WEED, PARSONS & CO., PRINTERS.
1880.

*Int-
v 9*



{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Cullinan | Lindsay | Sipp |
| Andrews | Davis | McAvoy | Sisson |
| Baker, B. F. | Deane | McCabe | Skinner |
| Baker, C. S. | Duell | McDonald | Slingerland |
| Beach | Duguid | Miller | Tallmadge |
| Beates | Evans | Mitchell | Thilemann |
| Benedict, E. D. | Fish | Mooers | Titus |
| Benedict, T. E. | Fiske | Morgan | Tormey |
| Brennan | Gibbs | Newman | Tozier |
| Bridges | Gillette | Peck | Travis |
| Brodaky | Gorsline | Phillips | Tuthill, H. H. |
| Bullock | Griggs | Pitcher | Tuttle, R. M. |
| Carpenter, E. A. | Gwinup | Potter | Varnum |
| Carpenter, I. S. | Havens | Potts | Warner |
| Case | Hoffman | Rhodes | Wells, D. A. |
| Chase | Howland | Russell | Wells, J. L. |
| Childs | Hurd | Sanders | Weston |
| Clark | Husted | Seeley | Wren |
| Comstock | Ingersoll | Shanley | Youngs |
| Congdon | Lefever | Sherman | Mr. Speaker |
| Crapser | Liddle | Shuit | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 30 of the Laws of 1880, entitled 'An act to amend chapter 598 of the Laws of 1870, entitled 'An act to amend an act to incorporate the city of Troy, passed April 12, 1816,' and the several acts amendatory thereof, and also to amend other acts relating to the city of Troy, and supplemental thereto, passed February 27, 1880,'" having been announced for third reading,

Mr. Comstock moved to recommit the same to the committee on affairs of cities with instructions to amend as follows:

Amend section 9, page 7, by striking out from line 6 the words "laws of 1880," and substitute therefor the words "act hereby amended."

Mr. Rhodes moved to further instruct the committee to strike out the enacting clause.

After debate,

Mr. Crapser moved the previous question.

Mr. Speaker put the question, "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker put the question on the motion of Mr. Comstock, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Rhodes, and it was determined in the negative.

{ AYES 21 }
{ NOES 69 }

Those who voted in the affirmative, were

| | | | |
|-----------------|--------|----------|-----------|
| Alvord | Ellis | McDonald | Shanley |
| Benedict, E. D. | Gibbs | McTernan | Terpeny |
| Benedict, T. E. | Gwinup | Newman | Thilemann |

Bennett
Childs
Cushing

Havens
Hoffman

Parker
Rhodes

Tormey
Trenor

Those who voted in the negative, were

| | | | |
|------------------|----------|----------|-----------------|
| Andrews | Curtis | Kennedy | Sipp |
| Baker, B. F. | Davis | Lefever | Slingerland |
| Baker, C. S. | Deane | Liddle | Tallmadge |
| Bradley | Douglass | Lindsay | Terry |
| Brennan | Duell | Low | Titus |
| Bridges | Duguid | McCabe | Tozier |
| Brodsky | Evans | Miller | Travis |
| Carpenter, E. A. | Ferris | Mitchell | Tuthill, H. H. |
| Carpenter, I. S. | Fish | Mooers | Tuttle, R. M. |
| Case | Fiske | Morgan | Van Valkenburgh |
| Chamberlain | Gillette | Nowlan | Varnum |
| Chase | Gorsline | Peck | Warner |
| Chickering | Gray | Phillips | Wells, D. A. |
| Clark | Griggs | Potts | Wells, J. L. |
| Comstock | Howland | Russell | Weston |
| Congdon | Hurd | Sanders | Wren |
| Crapser | Husted | Seeley | Mr. Speaker |
| Cullinan | | | |

Said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 76 }
{ NOES 17 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Andrews | Curtis | Liddle | Sipp |
| Baker, B. F. | Davis | Lindsay | Skinner |
| Baker, C. S. | Deane | Low | Slingerland |
| Beach | Douglass | McCabe | Tallmadge |
| Beates | Duell | Miller | Terry |
| Bradley | Evans | Mitchell | Titus |
| Brennan | Ferris | Mooers | Tozier |
| Bridges | Fish | Morgan | Travis |
| Brodsky | Fiske | Nowlan | Tuthill, H. H. |
| Carpenter, E. A. | Gillette | Peck | Tuttle, R. M. |
| Carpenter, I. S. | Gorsline | Phillips | Van Valkenburgh |
| Case | Gray | Potter | Varnum |
| Chickering | Griggs | Potts | Warner |
| Childs | Howland | Root | Waterbury |
| Clark | Hurd | Russell | Wells, D. A. |
| Comstock | Husted | Sanders | Wells, J. L. |
| Congdon | Ingersoll | Seeley | Weston |
| Crapser | Kennedy | Sherman | Wren |
| Cullinan | Lefever | Shuit | Youngs |

Those who voted in the negative, were

| | | | |
|-----------------|---------|----------|-----------|
| Alvord | Gibbs | McDonald | Rhodes |
| Benedict, T. E. | Gwinup | McTernan | Shanley |
| Catlin | Havens | Newman | Thilemann |
| Cushing | Hoffman | Parker | Trenor |
| Ellis | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 519 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo,'" passed April 28, 1870, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Cullinan | McAvoy | Skinner |
| Andrews | Curtis | McCabe | Slingerland |
| Baker, B. F. | Davis | Miller | Tallmadge |
| Baker, O. S. | Deane | Mitchell | Terpeny |
| Beach | Douglass | Moors | Terry |
| Benedict, T. E. | Duell | Newman | Titus |
| Bradley | Evans | Parker | Tormey |
| Brennan | Ferris | Peck | Tozier |
| Bridges | Fish | Phillips | Travis |
| Brodaky | Fiske | Pitcher | Tuthill, H. H. |
| Bullock | Gorsline | Potts | Tuttle, R. M. |
| Carpenter, E. A. | Griggs | Rhodes | Van Valkenburgh |
| Carpenter, I. S. | Gwinup | Root | Varnum |
| Catlin | Hoffman | Russell | Waterbury |
| Chamberlain | Howland | Sanders | Wells, D. A. |
| Chickering | Hurd | Seeley | Wells, J. L. |
| Childs | Husted | Shanley | Weston |
| Clark | Ingersoll | Sherman | Wren |
| Comstock | Kennedy | Shuit | Youngs |
| Congdon | Lefever | Sisson | Mr. Speaker |
| Craeper | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Curtis offered for the consideration of the House a resolution in the words following:

Resolved, That Assembly bill No. 603, general orders No. 690, entitled "An act to provide for the election of a board of directors of the New York and Oswego Midland Railroad Company, and to compel the delivery of the stock, books and papers relating to the stock of the said company to the officers of the said company," be now read.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Said bill having been announced for a third reading,

Mr. Curtis moved to recommit said bill to the committee on railroads, with instructions to amend as follows:

Change word "second," in line 3, of section 1, to "sixth;" the word "April," in line 4, section 1, to "May," and the words "twelve o'clock noon" to "two o'clock p. m."

Said bill, as amended, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Cullinan | Lefever | Shuit |
| Andrews | Curtis | McCabe | Sipp |
| Baker, C. S. | Cushing | McTernan | Skinner |
| Beach | Davis | Mead | Tallmadge |
| Beates | Deane | Miller | Terpeny |
| Benedict, E. D. | Douglass | Mitchell | Terry |
| Benedict, T. E. | Duell | Moors | Titus |
| Bradley | Evans | Morgan | Tozier |
| Brennan | Ferris | Newman | Travis |
| Bridges | Fish | Nowlan | Treanor |
| Brodsky | Gibbs | Parker | Tully |
| Bullock | Gillette | Peck | Tuttle, R. M. |
| Carpenter, E. A. | Gorsline | Phillips | Van Valkenburgh |
| Case | Griggs | Pitcher | Varnum |
| Catlin | Gwinup | Potts | Walsh |
| Chickering | Hoffman | Rhodes | Waterbury |
| Childs | Howland | Root | Wells, D. A. |
| Clark | Hurd | Russell | Wells, J. L. |
| Comstock | Husted | Sanders | Weston |
| Congdon | Ingersoll | Seeley | Wren |
| Cookinham | Kennedy | Sherman | Youngs |
| Crapser | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act concerning tramps," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 75 }
{ NOES 5 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|-------------|-----------------|
| Alvord | Cullinan | Low | Terpeny |
| Baker, B. F. | Curtis | McCabe | Terry |
| Beach | Davis | Miller | Thilemann |
| Beates | Douglass | Mitchell | Titus |
| Benedict, E. D. | Duguid | Moors | Tozier |
| Bradley | Ellis | Morgan | Travis |
| Brennan | Evans | Nowlan | Treanor |
| Bridges | Ferris | Parker | Tuthill, H. H. |
| Brodsky | Fish | Phillips | Tuttle, R. M. |
| Carpenter, E. A. | Gillette | Potts | Van Valkenburgh |
| Carpenter, I. S. | Gorsline | Root | Varnum |
| Case | Gray | Russell | Warner |
| Catlin | Griggs | Sanders | Waterbury |
| Chickering | Havens | Seeley | Wells, D. A. |
| Childs | Hoffman | Sherman | Wells, J. L. |
| Clark | Howland | Skinner | Weston |
| Comstock | Hurd | Slingerland | Youngs |
| Congdon | Husted | Steele | Mr. Speaker |
| Crapser | Kennedy | Tallmadge | |

Those who voted in the negative, were

| | | | |
|---------|--------|--------|---------|
| Clancy | Gwinup | Newman | Shanley |
| Cushing | | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

By unanimous consent.

Mr. Van Valkenburgh offered for the consideration of the House a resolution in the words following:

Resolved, That Senate bill No. 178, general orders No. 630, entitled "An act to incorporate the Grand Council of Royal Templars of Temperance of the State of New York, and to provide for the organization of select councils," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Mitchell, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill entitled "An act to amend an act entitled 'An act to incorporate 'the board of Home Missions of the Presbyterian Church in the United States of America,' and to enable the Presbyterian Board of Home Missions, formerly the Presbyterian Committee of Home Missions, to transfer its property to said new corporation, and to vest in such new corporation the corporate rights, franchises and privileges of the former body, and also to enable said new corporation to accept a transfer of the property of 'the Trustees of the Board of Domestic Missions of the general assembly of the Presbyterian Church in the United States of America,' and to become the legal successor of the said last mentioned corporation, passed April 19, 1872,'" and said bill was ordered to a third reading.

A message from the Senate was received and read, informing of concurrence in the following bills:

"An act for the better protection of the traveling public."

"An act to extend the time for the collection of taxes in the county of Richmond."

"An act to authorize the collector or receiver of taxes for the town of Liberty, in Sullivan county, to renew his bond and to extend the time for receiving and collecting the unpaid taxes in said town."

"An act to facilitate the erection of a new building by the New York Produce Exchange in the city of New York, by authorizing the closing of Marketfield street, and the sale of a lot of land and building on Stone street in said city, the property of the mayor, aldermen and commonalty of the city of New York."

"An act to amend chapter 498 of the Laws of 1872, entitled 'An act for the protection of livery-stable keepers and other persons keeping horses at livery or pasture.'"

"An act to provide for the construction, care and maintenance of the bridges over the Bronx river, between the city and county of New York and the county of Westchester."

"An act to amend section 5, title 3 of chapter 291, Laws of 1870, entitled 'An act for the incorporation of villages.'"

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the concurrent resolution recalling from the Governor the Assembly bill entitled "An act conferring additional powers upon the board of supervisors of Franklin county," with a message that they had passed the same without amendment.

Ordered, That the Clerk deliver said resolution to the Governor.

The hour of 3 having arrived, the House took a recess until 4 o'clock, P. M.

FOUR O'CLOCK, P. M.

The House again met.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Lefever (introductory No. 1077), entitled "An act to amend chapter 283 of the Laws of 1850, entitled 'An act to amend the Revised Statutes relating to grants of land under water,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Ellis (introductory No. 1037), entitled "An act to amend chapter 8 of part 3 of the Revised Statutes, entitled 'of distraining cattle and other chattels doing damage, and of distraining in other cases,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Cullinan (introductory No. 1021), entitled "An act to amend an act requiring compensation for causing death by wrongful act, neglect or default," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 124), entitled "An act to amend chapter 280 of the Laws of 1847, entitled 'An act in relation to the judiciary,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

A message from the Senate was received and read, informing of concurrence in the resolutions relative to the printing of 500 copies of the report of the New York State Cattle Commission; also, with reference to the printing of 1,000 copies of the report of the New York Fishery Commission.

By unanimous consent,

Mr. C. S. Baker, from the committee on insurance, to which was referred the Senate bill (introductory No. 124), entitled "An act fixing the amount to be paid on a policy of insurance," reported adversely thereto.

Mr. Ingersoll moved to disagree with said report, and that said bill be committed to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

{ AYES 60 }
{ NOES 27 }

Those who voted in the affirmative, were

| | | | |
|--------------|----------|---------|-------------|
| Alvord | Costello | Lefever | Skinner |
| Baker, B. F. | Curtis | Liddle | Slingerland |
| Beach | Cushing | Lindsay | Steele |

| | | | |
|-----------------|-----------|----------|----------------|
| Beates | Congdon | Low | Strait |
| Benedict, E. D. | Douglas | McAvoy | Terpeny |
| Benedict, T. E. | Fish | McTernan | Terry |
| Bennett | Gibbs | Miller | Thilemann |
| Bridges | Gorsline | Moors | Tozier |
| Brodsky | Gray | Newman | Travis |
| Bullock | Gwinup | Phillips | Tully |
| Case | Havens | Sheridan | Tuthill, H. H. |
| Chickering | Hoffman | Sherman | Warner |
| Clark | Hurd | Shult | Waterbury |
| Cohen | Ingersoll | Sipp | Weston |
| Comstock | Kennedy | Sisson | Wren |

Those who voted in the negative, were

| | | | |
|------------------|---------|----------|---------------|
| Baker, C. S. | Orapser | Gillette | Russell |
| Bradley | Davis | Griggs | Shanley |
| Carpenter, E. A. | Deane | Husted | Tuttle, R. M. |
| Carpenter, I. S. | Duell | Morgan | Varnum |
| Catlin | Ellis | Nowlan | Wells, J. L. |
| Chamberlain | Ferris | Potts | Youngs |
| Childs | Fiske | Root | |

Ordered, That said bill be committed to the committee of the whole.

Privileges of the floor were granted to Hon. Daniel Patterson, former member of this House.

By unanimous consent,

Mr. Curtis, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Fish (introductory No. 1079), entitled "An act for the incorporation of benevolent, charitable, scientific and missionary societies," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Curtis, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. — Benedict (introductory No. 775), entitled "An act to further amend an act entitled 'An act authorizing the incorporation of rural cemetery associations,' passed April 27, 1847, amended by the Laws of 1860, chapter 163, and the Laws of 1861, chapter 94," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Curtis, from the committee on charitable and religious societies, to which was referred the Senate bill (introductory No. 325), entitled "An act to incorporate the German Masonic Temple Association of the city of New York," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Husted, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Steele, from the joint select committee on the revision of the assessment and tax laws, to which was referred the Senate bill (introductory No. 175, printed No. 99), entitled "An act to provide for the review and correction of illegal, erroneous or unequal assessments," reported the same complete, which report was agreed to and said bill ordered to a third reading.

On motion of Mr. Mitchell, and by unanimous consent, the committee of the whole was discharged from the further consideration of

the bill entitled "An act to amend an act entitled 'An act to incorporate the New York Cotton Exchange,' passed April 8, 1871," and said bill was ordered to a third reading.

Privileges of the floor were granted to Mr. George Scramling.

By unanimous consent,

Mr. I. S. Carpenter introduced a bill entitled "An act to provide uniform fees for the clerks of the several counties of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Gray introduced a bill entitled "An act to authorize the Superintendent of Public Works to sell the ice which forms on the canals of the State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent,

Mr. Weston offered for the consideration of the House a resolution in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of bill No. 557, general orders No. 636, entitled "An act for the appointment of game and fish protectors," be ordered engrossed for a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Gillette offered for the consideration of the House a resolution in the words following:

Resolved, That Senate bill No. 216, general orders No. 762, relating to encroachments on Kinderhook creek, Columbia county, be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Warner, from the committee on trade and manufactures, to which was referred the Senate bill (introductory No. 246), entitled "An act to amend chapter 290 of the Laws of 1879, entitled 'An act to amend chapter 149 of the Laws of 1874, entitled 'An act to amend an act, passed April 27, 1872, entitled 'An act to amend chapter 657 of the Laws of 1871, entitled 'An act to amend an act, passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed April 20, 1871, and to legalize the formation and acts of certain corporations formed according to the provisions of chapter 374 of the Laws of 1877," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

The bill entitled "An act to prohibit the erection, construction, maintenance or operation of elevated railways or extensions thereof, in certain streets or avenues in the city of Brooklyn and county of Kings," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative.

{ AYES 71 }
{ NOES 19 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Baker, B. F. | Crapser | Howland | Skinner |
| Baker, C. S. | Cullinan | Hurd | Slingerland |
| Beach | Curtis | Kennedy | Steele |
| Beates | Cushing | Lefever | Strait |
| Bennett | Davis | Liddle | Tallmadge |
| Bridges | Deane | McCabe | Terpeny |
| Brodsky | Dougherty | McDonald | Terry |
| Bullock | Douglass | Mooers | Titus |
| Carpenter, E. A. | Duell | Morgan | Travis |
| Carpenter, I. S. | Ellis | Nowlan | Treanor |
| Case | Evans | Peck | Tuthill, H. H. |
| Catlin | Ferris | Phillips | Tuttle, R. M. |
| Chamberlain | Fish | Potts | Warner |
| Chickering | Fiske | Root | Waterbury |
| Childs | Gillette | Sanders | Wells, D. A. |
| Clancy | Gray | Seeley | Weston |
| Cohen | Griggs | Sheridan | Youngs |
| Congdon | Gwinup | Sisson | |

Those who voted in the negative, were

| | | | |
|-----------------|---------|----------|-----------|
| Alvord | Gibbs | McCarthy | Thilemann |
| Benedict, T. E. | Havens | McTernan | Tormey |
| Bradley | Hoffman | Miller | Tully |
| Chase | Lindsay | Newman | Walsh |
| Costello | McAvoy | Shanley | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to amend chapter 37 of the Laws of 1855, entitled 'An act amendatory of the acts for the assessment and collection of taxes,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Costello | Lindsay | Sisson |
| Baker, B. F. | Crapser | McAvoy | Skinner |
| Baker, C. S. | Curtis | McCabe | Slingerland |
| Beach | Davis | McDonald | Steele |
| Beates | Dougherty | Miller | Strait |
| Benedict, T. E. | Duell | Mitchell | Tallmadge |
| Bradley | Evans | Mooers | Terpeny |
| Bridges | Ferris | Newman | Terry |
| Brodsky | Fish | Nowlan | Thilemann |
| Bullock | Fiske | Parker | Tozier |
| Carpenter, E. A. | Fitzgerald | Peck | Treanor |
| Carpenter, I. S. | Gray | Phillips | Tuthill, H. H. |
| Case | Griggs | Potts | Tuttle, R. M. |
| Chamberlain | Gwinup | Rhodes | Warner |
| Chase | Havens | Root | Waterbury |
| Chickering | Hoffman | Russell | Wells, D. A. |
| Childs | Howland | Sanders | Weston |

| | | | |
|----------|-----------|---------|--------|
| Clark | Ingersoll | Seeley | Wiley |
| Cohen | Kennedy | Shanley | Wren |
| Comstock | Lefever | Sipp | Youngs |
| Congdon | Liddle | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence the bill entitled "An act to place and maintain shareholders of State banks in the assessment and taxation of their shares of stock upon an equality with shareholders of National banks," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Mitchell, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|----------------|
| Alvord | Crapser | Ingersoll | Sherman |
| Baker, B. F. | Curtis | Kennedy | Shuit |
| Beach | Cushing | Lefever | Sipp |
| Beates | Davis | Liddle | Sisson |
| Benedict, E. D. | Deane | Lindsay | Skinner |
| Benedict, T. E. | Douglass | McAvoy | Slingerland |
| Bradley | Duell | McDonald | Terpeny |
| Bridges | Duguid | Miller | Terry |
| Brodsky | Ellis | Mitchell | Titus |
| Bullock | Evans | Mooers | Travis |
| Carpenter, E. A. | Ferris | Morgan | Treanor |
| Carpenter, I. S. | Fish | Newman | Tuthill, H. H. |
| Case | Gibbs | Nowlan | Tuttle, R. M. |
| Catlin | Goralline | Parker | Varnum |
| Chamberlain | Gray | Phillips | Warner |
| Chase | Griggs | Potts | Wells, D. A. |
| Chickering | Gwinup | Rhodes | Wells, J. L. |
| Clark | Havens | Root | Weston |
| Cohen | Hoffman | Russell | Wiley |
| Congdon | Hurd | Seeley | Youngs |
| Costello | Husted | Sheridan | |

Those who voted in the negative, were

Peck

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to enable any town to abolish the office of railroad commissioner and to authorize the supervisor of such town to discharge the duties now pertaining to said office," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Congdon | Kennedy | Sipp |
| Baker, B. F. | Crapser | Lefever | Sisson |
| Baker, C. S. | Cullinan | Liddle | Slingerland |
| Beach | Curtis | Lindsay | Steele |
| Beates | Cushing | Low | Strait |
| Benedict, E. D. | Davis | Miller | Tallmadge |
| Benedict, T. E. | Douglass | Mitchell | Terpeny |
| Bradley | Duell | Mooers | Terry |
| Bridges | Duguid | Morgan | Titus |
| Brodsky | Ferris | Newman | Tosier |
| Bullock | Fish | Nowlan | Travis |
| Carpenter, E. A. | Fiske | Parker | Treanor |
| Carpenter, I. S. | Gibbs | Peck | Tully |
| Case | Gillette | Phillips | Tuthill, H. H. |
| Catlin | Gorsline | Potts | Tuttle, R. M. |
| Chamberlain | Gray | Rhodes | Warner |
| Chase | Gwinup | Root | Waterbury |
| Chickering | Havens | Russell | Weston |
| Childs | Hoffman | Seeley | Wiley |
| Clark | Hurd | Sheridan | Youngs |
| Cornstock | Ingersoll | Shuit | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend section 2 of title 1 of chapter 13 of part 1 of the Revised Statutes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|---------------|
| Alvord | Deane | Lindsay | Sisson |
| Baker, B. F. | Douglass | Low | Skinner |
| Beach | Duell | Miller | Slingerland |
| Beates | Ellis | Mitchell | Steele |
| Benedict, T. E. | Evans | Mooers | Strait |
| Bradley | Ferris | Morgan | Tallmadge |
| Bridges | Fish | Newman | Terpeny |
| Brodsky | Fiske | Nowlan | Terry |
| Bullock | Gillette | Parker | Titus |
| Carpenter, E. A. | Gorsline | Peck | Travis |
| Carpenter, I. S. | Gray | Phillips | Treanor |
| Case | Gwinup | Potter | Tully |
| Chamberlain | Havens | Potts | Tuttle, R. M. |
| Chase | Hoffman | Rhodes | Varnum |
| Childs | Howland | Root | Warner |
| Clark | Hurd | Russell | Waterbury |
| Congdon | Ingersoll | Seeley | Wells, J. L. |
| Crapser | Kennedy | Shanley | Weston |
| Cullinan | Lefever | Shermar | Wren |
| Curtis | Liddle | Shuit | Youngs |
| Davis | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to authorize and direct the board of supervisors of Kings county to make suitable provisions to reimburse

Walter L. Livingston for all legitimate costs, counsel fees and expenses which have been incurred by him in and about a certain action of quo warranto brought against him to oust him from the office of surrogate of the county of Kings," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Curtis | Liddle | Shuit |
| Baker, B. F. | Davis | Lindsay | Sisson |
| Baker, C. S. | Deane | Low | Skinner |
| Beach | Dougherty | McTernan | Slingerland |
| Beates | Douglass | Miller | Steele |
| Benedict, E. D. | Duell | Mitchell | Tallmadge |
| Benedict, T. E. | Duguid | Mooers | Terpeny |
| Bradley | Ellis | Morgan | Terry |
| Bridges | Evans | Newman | Titus |
| Brodsky | Ferris | Nowlan | Tozier |
| Bullock | Fish | Parker | Travis |
| Carpenter, E. A. | Gillette | Peck | Tully |
| Carpenter, I. S. | Gorsline | Phillips | Tuthill, H. H. |
| Oase | Gray | Potter | Tuttle, R. M. |
| Chase | Griggs | Potts | Varnum |
| Chickering | Hoffman | Rhodes | Warner |
| Childs | Howland | Root | Waterbury |
| Clark | Hurd | Russell | Wells, J. L. |
| Comstock | Ingersoll | Sanders | Weston |
| Congdon | Kennedy | Sealey | Wren |
| Crapser | Lefever | Sherman | Youngs |
| Cullinan | | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to legalize and confirm the action of the electors of the town of Wilmington, in the county of Essex," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }
{ NOES 2 }

Those who voted in the affirmative, were

| | | | |
|-----------------|----------|----------|-------------|
| Alvord | Davis | Low | Sipp |
| Baker, B. F. | Deane | McDonald | Sisson |
| Baker, C. S. | Douglass | Miller | Skinner |
| Beach | Duell | Mitchell | Slingerland |
| Beates | Duguid | Mooers | Steele |
| Benedict, E. D. | Ellis | Morgan | Strait |
| Benedict, T. E. | Evans | Newman | Tallmadge |
| Bradley | Ferris | Nowlan | Terpeny |
| Brodsky | Fish | Parker | Terry |
| Bullock | Gillette | Peck | Titus |

| | | | |
|------------------|-----------|----------|----------------|
| Carpenter, I. S. | Gorsline | Phillips | Tozier |
| Case | Gray | Potter | Travis |
| Catlin | Gwinup | Potts | Tuthill, H. H. |
| Chamberlain | Hoffman | Rhodes | Tuttle, R. M. |
| Chase | Howland | Root | Varnum |
| Chickering | Hurd | Russell | Warner |
| Childs | Ingersoll | Sanders | Waterbury |
| Clark | Kennedy | Seeley | Wells, D. A. |
| Comstock | Lefever | Sheridan | Wells, J. L. |
| Congdon | Liddle | Sherman | Weston |
| Crapeer | Lindsay | Shuit | Youngs |

Those who voted in the negative, were
Bridges Griggs

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act in relation to the payment of assessments for local improvements in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Baker, B. F. | Davis | Liddle | Shuit |
| Baker, C. S. | Deane | Lindsay | Sipp |
| Beach | Dougherty | Low | Sisson |
| Beates | Douglass | McDonald | Slingerland |
| Benedict, E. D. | Duell | Miller | Steele |
| Bredsky | Ellis | Mitchell | Strait |
| Bullock | Ferris | Moers | Tallmadge |
| Carpenter, I. S. | Fish | Morgan | Terpeny |
| Case | Gibbs | Newman | Terry |
| Catlin | Gillette | Nowlan | Titus |
| Chamberlain | Gorsline | Peck | Tozier |
| Chase | Gray | Phillips | Travis |
| Chickering | Griggs | Potter | Tuthill, H. H. |
| Childs | Gwinup | Potts | Tuttle, R. M. |
| Clark | Havens | Rhodes | Varnum |
| Comstock | Hoffman | Root | Warner |
| Congdon | Hurd | Russell | Waterbury |
| Crapeer | Ingersoll | Sanders | Wells, J. L. |
| Cullinan | Kennedy | Seeley | Weston |
| Curtis | Lefever | Sherman | Wren |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act appropriating money for the payment of sums due to contractors for new work and extraordinary repairs on the canals, and to pay the certificates and drafts issued therefor," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|---------------|
| Alvord | Deane | Lindsay | Shuit |
| Baker, B. F. | Dougherty | Low | Sipp |
| Baker, C. S. | Douglass | McAvoy | Sisson |
| Beach | Duell | McDonald | Skinner |
| Beates | Duguid | McTernan | Slingerland |
| Benedict, T. E. | Ellis | Miller | Steele |
| Bradley | Evans | Mitchell | Strait |
| Brennan | Fish | Mooers | Tallmadge |
| Bridges | Gibbs | Morgan | Terpeny |
| Brodsky | Gillette | Newman | Terry |
| Bullock | Gorsline | Nowlan | Titus |
| Carpenter, I. S. | Gray | Peck | Tormey |
| Case | Griggs | Phillips | Tozier |
| Catlin | Gwinup | Potts | Travis |
| Chamberlain | Havens | Rhodes | Tuttle, R. M. |
| Chase | Hoffman | Root | Varnum |
| Chickering | Howland | Russell | Warner |
| Childs | Hurd | Sanders | Waterbury |
| Clark | Husted | Sealey | Wells, J. L. |
| Comstock | Ingersoll | Shanley | Weston |
| Congdon | Kennedy | Sheridan | Wiley |
| Curtis | Lefever | Sherman | Youngs |
| Davis | Liddle | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals for the fiscal year, commencing on the 1st day of October, 1880, and to provide for a contingent deficiency in the revenues of the canals for the calendar year 1880," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }
{ NOES 2 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Congdon | Lefever | Sherman |
| Baker, B. F. | Crapser | Liddle | Shuit |
| Baker, C. S. | Curtis | Lindsay | Sipp |
| Beach | Davis | Low | Sisson |
| Beates | Deane | Miller | Skinner |
| Benedict, E. D. | Dougherty | Mitchell | Slingerland |
| Benedict, T. E. | Douglass | Mooers | Steele |
| Bradley | Duguid | Morgan | Tallmadge |
| Bridges | Ellis | Newman | Terpeny |
| Brodsky | Ferris | Nowlan | Terry |
| Bullock | Fish | Peck | Titus |
| Carpenter, E. A. | Gibbs | Phillips | Tozier |
| Carpenter, I. S. | Gillette | Potts | Travis |
| Case | Gorsline | Rhodes | Van Valkenburgh |

| | | | |
|-------------|-----------|----------|--------------|
| Oatlin | Gray | Roberts | Varnum |
| Chamberlain | Griggs | Root | Warner |
| Chase | Howland | Russell | Waterbury |
| Chickering | Hurd | Sanders | Wells, J. L. |
| Childs | Husted | Seeley | Weston |
| Clark | Ingersoll | Sheridan | Youngs |
| Comstock | Kennedy | | |

Those who voted in the negative, were
Gwinup Havens.

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for repairing and enlarging the City Hall in the city of Albany, for the use of said city, and the use of the county of Albany, and to provide means for the payment therefor," being announced for a third reading, Mr. Shanley moved to recommit the same to the committee on affairs of cities, with amendment.

After debate,

Mr. Alvord moved the previous question.

Mr. Speaker put the question, "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Shanley, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 72 }
{ NOES 25 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Congdon | Kennedy | Sisson |
| Andrews | Crapser | Lefever | Skinner |
| Baker, B. F. | Cullinan | Liddle | Slingerland |
| Baker, C. S. | Curtis | Lindsay | Steele |
| Beach | Davis | Low | Terpeny |
| Beates | Deane | Mitchell | Terry |
| Bradley | Douglass | Moers | Titus |
| Bridges | Duell | Morgan | Tozier |
| Brodsky | Duguid | Nowlan | Travis |
| Bullock | Evans | Peck | Tuthill, H. H. |
| Carpenter, E. A. | Ferris | Phillips | Tuttle, R. M. |
| Carpenter, I. S. | Fish | Potts | Varnum |
| Case | Gorsline | Root | Waterbury |
| Chamberlain | Gray | Russell | Wells, D. A. |
| Chase | Griggs | Seeley | Wells, J. L. |
| Chickering | Howland | Sherman | Weston |
| Childs | Hurd | Shuit | Wren |
| Comstock | Ingersoll | Sipp | Youngs |

Those who voted in the negative, were

| | | | |
|-----------------|-----------|----------|-----------|
| Benedict, E. D. | Dougherty | McDonald | Tallmadge |
| Benedict, T. E. | Gibbs | McTernan | Thiemann |
| Catlin | Gwinup | Newman | Treanor |
| Clancy | Havens | Shanley | Tully |
| Cohen | Hoffman | Sheridan | Walsh |
| Costello | McCarthy | Strait | Wiley |
| Cushing | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The hour of six having arrived, the house adjourned.

THURSDAY MORNING, APRIL 22, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Temple, East Albany.

The journal of yesterday was read and approved.

Leave of absence was granted to Mr. Sanders on account of sickness.

Pursuant to ninth joint rule, Mr. Speaker announced order of business, third reading of bills.

The bill entitled "An act to amend chapter 140 of the Laws of 1850, entitled 'An act entitled 'An act to authorize the formation of railroad corporations, and to regulate the same,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 71 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|----------|-----------------|
| Alvord | Congdon | Low | Sipp |
| Andrews | Crapser | McCabe | Skinner |
| Baker, C. S. | Cullinan | Mead | Steele |
| Beach | Curtis | Miller | Tallmadge |
| Beates | Davis | Mooers | Terpeny |
| Benedict, E. D. | Deane | Morgan | Titus |
| Benedict, T. E. | Douglass | Nowlan | Tozier |
| Bradley | Duell | O'Brien | Travis |
| Brennan | Ellis | Parker | Treanor |
| Bridges | Evans | Peck | Tuthill, H. H. |
| Bullock | Ferris | Phillips | Van Valkenburgh |
| Carpenter, E. A. | Fish | Potts | Varnum |
| Carpenter, I. S. | Fiske | Root | Waterbury |
| Case | Gray | Russell | Wells, D. A. |
| Chamberlain | Gwinup | Seeley | Wells, J. L. |
| Chickering | Havens | Sheridan | Weston |
| Childs | Lefever | Sherman | Youngs |
| Comstock | Lindsay | Shuit | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to prohibit the construction of buildings, of wood or other combustible materials, in a certain portion of the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 76 }
{ NOES 16 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|-----------|-----------------|
| Alvord | Crapsr | Ingersoll | Sipp |
| Andrews | Cullinan | Kennedy | Skinner |
| Baker, C. S. | Curtis | Lefever | Steele |
| Beach | Cushing | Lindsay | Tallmadge |
| Beates | Davis | Low | Terpeny |
| Benedict, T. E. | Deane | McCabe | Titus |
| Bradley | Douglass | Mooers | Tozier |
| Brennan | Duell | Morgan | Travis |
| Bridges | Duguid | Nowlan | Treanor |
| Brodsky | Ellis | O'Brien | Tuthill, H. H. |
| Bullock | Evans | Parker | Tuttle, R. M. |
| Carpenter, E. A. | Ferris | Peck | Van Valkenburgh |
| Carpenter, I. S. | Fish | Phillips | Varnum |
| Case | Fiske | Potts | Warner |
| Chamberlain | Gorsline | Root | Waterbury |
| Chickering | Gray | Russell | Wells, D. A. |
| Childs | Griggs | Seeley | Wells, J. L. |
| Comstock | Howland | Sherman | Weston |
| Congdon | Hurd | Shuit | Wren |

Those who voted in the negative, were

| | | | |
|-----------------|---------|----------|----------|
| Benedict, E. D. | Gibbs | McAvoy | Newman |
| Clancy | Gwinup | McTernan | Rhodes |
| Cohen | Havens | Mead | Sheridan |
| Dougherty | Hoffman | Miller | Tully |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to release the right, title and interest of the People of the State of New York, in Yates county, to Elbert Ball Porter and Eugene D. Porter, heirs at law of Laura Ball Horing," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

{ AYES 89 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Cushing | Lefever | Skinner |
| Andrews | Davis | Lindsay | Slingerland |
| Baker, B. F. | Deane | Low | Steele |
| Baker, C. S. | Dougherty | McCabe | Strait |
| Beach | Douglass | Miller | Tallmadge |
| Beates | Duell | Mooers | Terpeny |
| Benedict, E. D. | Duguid | Morgan | Titus |
| Benedict, T. E. | Ellis | Nowlan | Tozier |
| Bradley | Evans | O'Brien | Travis |
| Brennan | Ferris | Parker | Treanor |
| Brodsky | Fish | Peck | Tuthill, H. H. |
| Bullock | Fiske | Phillips | Tuttle, R. M. |
| Carpenter, E. A. | Gorsline | Potter | Van Valkenburgh |
| Carpenter, I. S. | Gray | Potts | Varnum |
| Case | Griggs | Rhodes | Warner |
| Chickering | Gwinup | Root | Waterbury |
| Childs | Havens | Russell | Wells, D. A. |

| | | | |
|----------|-----------|----------|--------------|
| Cohen | Hoffman | Seeley | Wells, J. L. |
| Comstock | Howland | Sheridan | Weston |
| Congdon | Hurd | Sherman | Wren |
| Crapser | Ingersoll | Shuit | Youngs |
| Cullinan | Kennedy | Sipp | Mr. Speaker |
| Curtis | | | |

Those who voted in the negative, were
Newman

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act further defining and limiting the powers and duties of the commissioners of the road formerly known as the Buffalo plank road, in the county of Erie, and contracting said road," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|-----------|-----------------|
| Alvord | Congdon | Ingersoll | Sipp |
| Andrews | Costello | Kennedy | Skinner |
| Baker, B. F. | Cullinan | Lefever | Slingerland |
| Baker, C. S. | Curtis | Lindsay | Steele |
| Beach | Davis | McCabe | Strait |
| Beates | Deane | McTernan | Tallmadge |
| Benedict, E. D. | Douglass | Miller | Terpeny |
| Benedict, T. E. | Duell | Mooers | Titus |
| Bradley | Duguid | Morgan | Tozier |
| Brennan | Ellis | Newman | Travis |
| Bridges | Evans | Nowlan | Tully |
| Brodsky | Ferris | O'Brien | Tuthill, H. H. |
| Bullock | Fish | Parker | Tuttle, R. M. |
| Carpenter, E. A. | Fiske | Phillips | Van Valkenburgh |
| Carpenter, I. S. | Gibbs | Potts | Varnum |
| Case | Gorsline | Root | Warner |
| Chickering | Gray | Russell | Waterbury |
| Childs | Griggs | Seeley | Wells, D. A. |
| Clark | Gwinup | Sheridan | Wells, J. L. |
| Cohen | Howland | Sherman | Weston |
| Comstock | Hurd | Shuit | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act in relation to the sheriff of the city and county of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|---------|---------|---------|---------|
| Alvord | Curtis | Lindsay | Skinner |
| Andrews | Cushing | McAvoy | Steele |

| | | | |
|------------------|-----------|----------|-----------------|
| Baker, B. F. | Davis | McCabe | Strait |
| Baker, C. S. | Deane | McDonald | Tallmadge |
| Beach | Dougherty | McTernan | Terpeny |
| Beates | Douglass | Miller | Titus |
| Benedict, E. D. | Duell | Mitchell | Tormey |
| Benedict, T. E. | Duguid | Mooers | Tozier |
| Bradley | Ellis | Morgan | Travis |
| Brodaky | Ferris | Nowlan | Treanor |
| Bullock | Fish | O'Brien | Tully |
| Carpenter, E. A. | Fiske | Parker | Tuthill, H. H. |
| Carpenter, I. S. | Gorsline | Phillips | Van Valkenburgh |
| Case | Gray | Potts | Varnum |
| Chamberlain | Griggs | Rhodes | Warner |
| Chickering | Gwinup | Root | Waterbury |
| Childs | Havens | Russell | Wells, D. A. |
| Clark | Hoffman | Seeley | Wells, J. L. |
| Cohen | Hurd | Sheridan | Weston |
| Congdon | Ingersoll | Sherman | Wren |
| Crapser | Kennedy | Shuit | Youngs |
| Cullinan | Lefever | Sipp | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to amend chapter 519 of the Laws of 1870, entitled 'An act to amend the charter of the city of Buffalo,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }
{ NOES 15 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|-----------|-----------------|
| Alvord | Congdon | Husted | Sanders |
| Andrews | Crapser | Ingersoll | Seeley |
| Baker, B. F. | Cullinan | Kennedy | Shuit |
| Baker, C. S. | Curtis | Lefever | Sisson |
| Beach | Davis | Lindsay | Skinner |
| Beates | Deane | Low | Slingerland |
| Benedict, E. D. | Douglass | McCabe | Steele |
| Bradley | Duell | Mead | Tallmadge |
| Brennan | Duguid | Miller | Terry |
| Bridges | Ellis | Mitchell | Titus |
| Brodaky | Ferris | Mooers | Tozier |
| Bullock | Fish | Morgan | Travis |
| Carpenter, E. A. | Fiske | Nowlan | Tuttle, R. M. |
| Carpenter, I. S. | Gorsline | O'Brien | Van Valkenburgh |
| Case | Gray | Parker | Waterbury |
| Chamberlain | Griggs | Phillips | Wells, D. A. |
| Chickering | Havens | Potter | Weston |
| Childs | Hoffman | Potts | Wren |
| Clark | Howland | Root | Youngs |
| Comstock | Hurd | Russell | |

Those who voted in the negative, were

| | | | |
|-----------------|-----------|----------|----------|
| Benedict, T. E. | Dougherty | McCarthy | Sheridan |
| Clancy | Evans | McDonald | Sipp |
| Cohen | Gibbs | Rhodes | Tully |
| Onshing | McAvoy | Shanley | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to exempt the county of Orange from the provisions and requirements of chapter 280 of the Laws of 1845, entitled 'An act for the publication of, the Session Laws in two newspapers in each county of this State, and of the several acts amendatory thereof,' " being announced for a third reading,

Mr. Bradley moved to recommit said bill to the committee on general laws, with instructions to strike out the enacting clause.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Alvord moved to recommit said bill to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill entitled "An act to amend chapter 458 of the Laws of 1875, entitled 'An act to amend chapter 807 of the Laws of 1873, entitled 'An act concerning notaries public in the counties of Kings, Queens, Richmond, Westchester and Rockland, and in the city and county of New York, and authorizing them to exercise the functions of their office therein,' " was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Davis | McCabe | Sisson |
| Andrews | Deane | McDonald | Skinner |
| Baker, B. F. | Dougherty | McTernan | Slingerland |
| Baker, C. S. | Douglass | Miller | Steele |
| Beach | Duell | Mitchell | Tallmadge |
| Beates | Duguid | Mooers | Terpeny |
| Benedict, E. D. | Ellis | Morgan | Titus |
| Benedict, T. E. | Ferris | Newman | Tozier |
| Bradley | Fish | Nowlan | Travis |
| Brennan | Gorsline | O'Brien | Treanor |
| Bridges | Gray | Parker | Tully |
| Brodsky | Griggs | Potter | Tuthill, H. H. |
| Bullock | Swinup | Potts | Tuttle, R. M. |
| Carpenter, E. A. | Havens | Rhodes | Van Valkenburgh |
| Carpenter, I. S. | Hoffman | Root | Warner |
| Case | Howland | Russell | Waterbury |
| Oatlin | Hurd | Seeley | Wells, D. A. |
| Chamberlain | Husted | Shanley | Wells, J. L. |
| Childs | Kennedy | Sherman | Weston |
| Congdon | Lefever | Shuit | Wren |
| Crapser | Lindsay | Sipp | Youngs |
| Cullinan | Low | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to amend chapter 461 of the Laws of 1877, entitled 'An act to confer the powers of harbor masters on the

police patrolmen detailed to certain docks and piers in said city, by the board of commissioners of police and excise of the city of Brooklyn," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|-------------|-----------------|
| Alvord | Douglass | Morgan | Tallmadge |
| Andrews | Duell | Newman | Terpeny |
| Baker, C. S. | Duguid | Nowlan | Terry |
| Beates | Ellis | O'Brien | Titus |
| Benedict, E. D. | Evans | Parker | Tozier |
| Bradley | Ferris | Phillips | Travis |
| Bridges | Fish | Potts | Treanor |
| Brodskey | Fiske | Rhodes | Tully |
| Bullock | Gibbs | Root | Tuthill, H. H. |
| Carpenter, I. S. | Gray | Seeley | Tuttle, R. M. |
| Case | Gwinup | Shanley | Van Valkenburgh |
| Catlin | Hoffman | Sherman | Varnum |
| Chickering, | Hurd | Shuit | Warner |
| Childs | Kennedy | Sipp | Waterbury |
| Congdon | Lefever | Sisson | Wells, D. A. |
| Cullinan | Lindsay | Skinner | Wells, J. L. |
| Cushing | Mead | Slingerland | Weston |
| Davis | Miller | Steele | Wren |
| Deane | Mitchell | Strait | Youngs |
| Dougherty | Moore | | |

Those who voted in the negative, were.

Husted

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to further amend section 2 of chapter 139 of the Laws of 1870, as amended by chapter 402 of the Laws of 1877, entitled 'An act to annex parts of the towns of Bethlehem and Watervliet, in the county of Albany, to the city of Albany, and to exempt such parts thereof from certain taxes, and to annex a part of the city of Albany to the town of Watervliet,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }
{ NOES 3 }

Those who voted in the affirmative, were

| | | | |
|--------------|----------|-----------|---------|
| Alvord | Clowes | Hurd | Root |
| Andrews | Cohen | Ingersoll | Seeley |
| Baker, B. F. | Comstock | Kennedy | Shanley |
| Baker, C. S. | Congdon | Lefever | Sherman |
| Beach | Costello | Lindsay | Sipp |
| Beates | Cullinan | McAvoy | Sisson |

| | | | |
|------------------|-----------|----------|----------------|
| Benedict, E. D. | Curtis | McCabe | Slingerland |
| Benedict, T. E. | Davis | McCarthy | Strait |
| Bennett | Deane | McTernan | Tallmadge |
| Bradley | Dougherty | Mead | Terpeny |
| Bridges | Douglass | Miller | Tozier |
| Bullock | Ellis | Mooers | Treanor |
| Carpenter, E. A. | Ferris | Morgan | Tuthill, H. H. |
| Carpenter, I. S. | Fish | Nowlan | Tuttle, R. M. |
| Case | Fiske | Parker | Varnum |
| Catlin | Gibbs | Peck | Warner |
| Chamberlain | Gillette | Potter | Waterbury |
| Chickering | Griggs | Potts | Weston |
| Childs | Gwinup | Rhodes | Youngs |
| Clancy | Hoffman | | |

Those who voted in the negative, were

| | | |
|----------|-------|----------|
| Crapsier | Evans | Mitchell |
|----------|-------|----------|

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to fix and regulate the rates of toll on the Overlook Turnpike Company, in the counties of Ulster and Greene," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|---------------|
| Alvord | Crapsier | Lefever | Sherman |
| Baker, B. F. | Cullinan | Liddle | Shuit |
| Baker, C. S. | Curtis | Lindsay | Sipp |
| Beach | Davis | McAvoy | Skinner |
| Benedict, E. D. | Deane | McCabe | Slingerland |
| Benedict, T. E. | Dougherty | McDonald | Steele |
| Bradley | Douglass | McTernan | Strait |
| Bridges | Ellis | Miller | Tallmadge |
| Brodsky | Evans | Mitchell | Terpeny |
| Bullock | Ferris | Morgan | Titus |
| Carpenter, E. A. | Fish | Nowlan | Tozier |
| Carpenter, I. S. | Fiske | Parker | Treanor |
| Case | Gibbs | Peck | Tully |
| Catlin | Gillette | Potter | Tuttle, R. M. |
| Chamberlain | Griggs | Potts | Varnum |
| Chase | Gwinup | Rhodes | Warner |
| Clancy | Havens | Root | Waterbury |
| Cohen | Hoffman | Russell | Wells, J. L. |
| Comstock | Hurd | Sanders | Weston |
| Congdon | Ingersoll | Seeley | Youngs |
| Costello | Kennedy | Sheridan | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize joint-stock fire insurance companies to issue policies providing against loss or damage by lightning," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a

majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 77 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|----------|---------------|
| Andrews | Deane | McDonald | Sipp |
| Baker, B. F. | Douglass | McTernan | Skinner |
| Baker, C. S. | Duguid | Mead | Slingerland |
| Beach | Ellis | Miller | Steele |
| Benedict, T. E. | Evans | Mitchell | Strait |
| Bridges | Ferris | Morgan | Tallmadge |
| Brodaky | Fish | Nowlan | Terpeny |
| Bullock | Fiske | Parker | Terry |
| Carpenter, E. A. | Gibbs | Potter | Titus |
| Carpenter, I. S. | Gray | Potts | Tozier |
| Case | Gwinup | Rhodes | Treanor |
| Chase | Hoffman | Root | Tully |
| Obickering | Howland | Russell | Tuttle, R. M. |
| Cohen | Husted | Sanders | Warner |
| Comstock | Kennedy | Seeley | Waterbury |
| Congdon | Lefever | Shanley | Wells, J. L. |
| Costello | Liddle | Sheridan | Weston |
| Cullinan | McAvoy | Sherman | Wiley |
| Curtis | McCabe | Shuit | Youngs |
| Davis | | | |

Those who voted in the negative, were

Varnum

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to legalize and confirm the official acts of William J. Robb, a justice of the peace of the town of Perth, in the county of Fulton, New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Costello | Lefever | Sheridan |
| Andrews | Curtis | Liddle | Shuit |
| Baker, B. F. | Davis | Lindsay | Sipp |
| Baker, C. S. | Deane | McAvoy | Skinner |
| Beach | Dougherty | McCabe | Slingerland |
| Benedict, E. D. | Douglass | McDonald | Steele |
| Bennett | Duguid | Miller | Strait |
| Bradley | Ellis | Mitchell | Terpeny |
| Brennan | Evans | Morgan | Terry |
| Bridges | Ferris | Nowlan | Titus |
| Brodaky | Fish | Parker | Tozier |
| Bullock | Fiske | Peck | Tuthill, H. H. |
| Carpenter, E. A. | Gibbs | Phillips | Tuttle, R. M. |
| Carpenter, I. S. | Griggs | Potter | Varnum |
| Case | Gwinup | Potts | Warner |
| Oatlin | Havens | Rhodes | Waterbury |
| Chase | Hoffman | Roberts | Wells, D. A. |

| | | | |
|------------|-----------|---------|--------------|
| Chickering | Hurd | Root | Wells, J. L. |
| Childs | Husted | Russell | Weston |
| Cohen | Ingersoll | Seeley | Wiley |
| Comstock | Kennedy | Shanley | Youngs |
| Congdon | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to reduce and fix the rate of interest on bonds and mortgages held by the commissioners of the United States Deposit Fund in the several counties of the State," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|----------|-----------------|
| Alvord | Curtis | Miller | Slingerland |
| Andrews | Davis | Mitchell | Steele |
| Baker, B. F. | Deane | Mooers | Strait |
| Baker, C. S. | Douglass | Morgan | Terpeny |
| Beach | Duguid | Newman | Terry |
| Benedict, E. D | Ellis | Nowlan | Titus |
| Bennett | Ferris | O'Brien | Tozier |
| Bradley | Fish | Parker | Treanor |
| Brennan | Gillette | Phillips | Tully |
| Bridges | Griggs | Potter | Tuthill, H. H. |
| Brodsky | Gwinup | Potts | Tuttle, R. M. |
| Bullock | Hagan | Rhodes | Van Valkenburgh |
| Carpenter, E. A. | Hoffman | Root | Varnum |
| Carpenter, I. S. | Hurd | Russell | Walsh |
| Case | Kennedy | Seeley | Warner |
| Catlin | Lefever | Shanley | Waterbury |
| Chase | Liddle | Sheridan | Wells, D. A. |
| Childs | Lindsay | Sherman | Wells, J. L. |
| Comstock | Low | Shuit | Weston |
| Costello | McCabe | Sipp | Youngs |
| Cullinan | McDonald | Skinner | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to prevent interference with owners and captains of steamers engaged in the towing business."

"An act authorizing the commissioners of the several towns and cities of the counties of Cayuga, Tompkins, Cortland and Tioga to sell stock of Southern Central railroad, with which to pay the bonded indebtedness of such towns and cities."

"An act to prevent fishing with nets in a part of the waters of Lake Ontario."

"An act to exempt the town of Henderson from the provisions of chapter 817 of the Laws of 1873, entitled 'An act to provide for the support of the poor in the county of Jefferson, and to confirm the action of the legal voters of said town in the election of an overseer of the poor.'"

"An act to amend chapter 272 of the Laws of 1837, entitled 'An act to incorporate the Society for the Relief of Half Orphan and Destitute Children in the city of New York.'"

"An act to amend chapter 151 of the Laws of 1873, entitled 'An act for the relief of stockholders of corporations whose certificates of stock have been lost or destroyed.'"

"An act to amend chapter 5, title 2, part 2 of the Revised Statutes of the State of New York."

"An act to authorize the construction of a bridge over the Erie canal at Brockport, Monroe county."

"An act relating to the banks and prism of the Genesee Valley canal, and for the sale thereof."

"An act to amend chapter 175 of the Laws of 1870, entitled 'An act regulating the sale of intoxicating liquors.'"

"An act to regulate the transportation of freight by railroad corporations."

"An act making appropriations for the payment of certain awards made by the State Board of Audit."

"An act to amend chapter 340 of the Laws of 1878, entitled 'An act in relation to the repaving of streets in the city of Syracuse, and to amend the charter of said city.'"

"An act in relation to the auditing of expenses for the support of the county poor and the purchase of supplies in the county of Clinton."

"An act to exempt Fulton county from the provisions and operations of chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties.'"

Mr. Alvord offered for the consideration of the House a resolution in the words following:

Resolved, That hereafter debate on all questions be limited, both in the House and in committee of the whole, to five minutes; and no one shall speak longer nor more than once, except by consent of a majority of the House.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Steele offered for the consideration of the House a resolution in the words following:

Resolved, That bill No. 437, entitled "An act in relation to the taxation of savings banks and institutions for savings," and bill No. 459, entitled "An act to provide for the taxation of life insurance companies," be made a special order for Tuesday morning, April 27, 1880, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The bill entitled "An act to prevent interference with owners and captains of steamers engaged in the towing business," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative,

three-fifths of all the members elected to the Assembly voting in favor thereof.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Curtis | Lindsay | Sipp |
| Andrews | Cushing | McCabe | Sisson |
| Baker, B. F. | Davis | McDonald | Skinner |
| Baker, C. S. | Deane | McTernan | Slingerland |
| Beach | Dougherty | Miller | Steele |
| Beates | Duell | Mooers | Strait |
| Benedict, E. D. | Duguid | Newman | Tallmadge |
| Benedict, T. E. | Ellis | Nowlan | Terpeny |
| Bennett | Evans | O'Brien | Terry |
| Bradley | Fish | Parker | Titus |
| Brennan | Fiske | Phillips | Travis |
| Bridges | Gorsline | Potter | Treanor |
| Brodsky | Gray | Potts | Tully |
| Bullock | Griggs | Rhodes | Tuthill, H. H. |
| Carpenter, E. A. | Gwinup | Root | Tuttle, R. M. |
| Carpenter, I. S. | Hoffman | Russell | Van Valkenburgh |
| Case | Howland | Seeley | Warner |
| Cashin | Hurd | Shanley | Waterbury |
| Chase | Ingersoll | Sheridan | Wells, J. L. |
| Childs | Kennedy | Sherman | Weston |
| Crapser | Lefever | Shuit | Wren |
| Cullinan | Liddle | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The special committee on investigating the charges made against the superintendent of the wrapping department presented a report in words following:

To the Assembly:

Your committee, created by a resolution of the House, passed April 16, 1880, which reads as follows:

"Whereas, It is charged by many members of this House that the superintendent of the wrapping department refuses to wrap up documents without being paid for it, claiming that his duties are only to superintend the same, therefore

"Resolved, That a special committee of three be appointed to investigate such charges and ascertain what his duties are; and if he has not faithfully and honestly discharged his duties, to report what is proper to be done in the premises."

Respectfully report that they have investigated the charges preferred therein, and find that Mr. John D. Christie was appointed general messenger at the opening of the session of this Legislature, and was assigned by the Clerk of the House to take charge of the wrapping department therein. That said Christie assumed charge thereof, and has, since the session began, been in attendance thereat, at the price fixed by the House, being \$3.00 per day.

That he has on many occasions demanded and received from members of the House moneys which he claimed to be due him for wrapping books and documents for them. That the amounts so demanded and received by him for wrapping said books and documents

varied from fifty cents to five dollars, the usual amount demanded from each member being two dollars.

That your committee has been unable to find from any of the rules of the House any specific duties assigned to the person occupying the position of Mr. Christie, nor has it found that any officer of the House was charged or commissioned with the duty of assigning to the person occupying such position, the particular work to be done by him.

It was, however, shown before your committee that the custom has heretofore prevailed to have all wrapping done for the members of the House, either by the general messenger assigned to the wrapping department or by the pages of the House, under the direction of such messenger, but without expense to the members thereof, except as a gratuity.

Your committee further report that said Christie has not at all times been courteous to the members of the House in the performance of his work for them, and has at times refused to do it. That on many occasions when the pages of the House have been sent to his department with books and documents to be wrapped, or when said pages have attempted to do the work themselves, they have been refused the right to do it, and have been grossly ill treated and on one or two occasions abused by him.

Your committee therefore find and report:

First: That the duties of the general messenger assigned to take charge of the wrapping department should be defined, either by the rules of the House, or that some person should be commissioned by the House to determine what such duties are and to instruct such messenger therein.

Second: That Mr. John D. Christie has so far exceeded the customs heretofore prevailing in said position, and has otherwise disregarded the requests of the members of the House in refusing to do the work required of him by them, and in preventing the pages from doing it for him, as to forfeit any further claim to be retained as an employee of this House.

Your committee therefore recommend the adoption of the following resolution:

Resolved, That John D. Christie, the general messenger in charge of the wrapping department of this House, be relieved from further service therein, and that some proper person be designated to take the place now occupied by him.

ALBERT HOWLAND,
DANIEL PECK,
LAMOTT W. RHODES;
Committee.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The bill entitled "An act authorizing the village of Wellsville, New York, to appropriate portions of its highway moneys to the laying of stone sidewalks," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Congdon | Kennedy | Shuit |
| Baker, B. F. | Crapsier | Liddle | Sipp |
| Baker, C. S. | Cullinan | Lindsay | Sisson |
| Beach | Curtis | Low | Skinner |
| Benedict, E. D. | Davis | McCarthy | Slingerland |
| Benedict, T. E. | Deane | McDonald | Steele |
| Bennett | Dougherty | Miller | Strait |
| Bradley | Douglass | Mitchell | Terpeny |
| Brennan | Duell | Nowlan | Titus |
| Bridges | Duguid | O'Brien | Treanor |
| Brodsaky | Ellis | Parker | Tully |
| Carpenter, E. A. | Fish | Phillips | Tuthill, H. H. |
| Carpenter, I. S. | Gilletto | Potter | Tuttle, R. M. |
| Case | Gorsline | Rhodes | Van Valkenburgh |
| Catlin | Griggs | Root | Waterbury |
| Chamberlain | Hoffman | Russell | Wells, J. L. |
| Chase | Howland | Seeley | Weston |
| Chickering | Hurd | Shanley | Wren |
| Cohen | Ingersoll | Sherman | Youngs |
| Comstock | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act authorizing the commissioners of the several towns and cities of the counties of Cayuga, Tompkins, Cortland and Tioga to sell stock of Southern Central railroad with which to pay the bonded indebtedness of such towns and cities," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Curtis | Lefever | Skinner |
| Andrews | Davis | Lindsay | Slingerland |
| Baker, B. F. | Deane | Low | Steele |
| Baker, C. S. | Dougherty | McDonald | Strait |
| Beach | Duell | Miller | Tallmadge |
| Benedict, E. D. | Duguid | Mooers | Terpeny |
| Benedict, T. E. | Ellis | Morgan | Terry |
| Bradley | Evans | Nowlan | Titus |
| Brennan | Ferris | O'Brien | Tozier |
| Bridges | Fish | Parker | Travis |
| Brodsaky | Gorsline | Phillips | Treanor |
| Carpenter, E. A. | Gray | Potter | Tully |
| Carpenter, I. S. | Griggs | Potts | Tuthill, H. H. |
| Case | Gwinup | Rhodes | Tuttle, R. M. |
| Chamberlain | Hagan | Root | Van Valkenburgh |
| Chase | Havens | Seeley | Warner |
| Chickering | Hoffman | Shanley | Waterbury |
| Childs | Howland | Sherman | Wells, J. L. |
| Cohen | Hurd | Shuit | Weston |
| Comstock | Ingersoll | Sipp | Wren |
| Crapsier | Kennedy | Sisson | Youngs |
| Cullinan | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act in relation to the deposits of stocks in the Bank Department," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|-----------------|
| Alvord | Congdon | Ingersoll | Sherman |
| Andrews | Costello | Kennedy | Shuit |
| Baker, B. F. | Crapser | Lefever | Sipp |
| Baker, C. S. | Cullinan | Lindsay | Sisson |
| Beach | Curtis | Low | Skinner |
| Beates | Davis | McDonald | Slingerland |
| Benedict, E. D. | Deane | Mead | Steele |
| Benedict, T. E. | Dougherty | Miller | Terpen |
| Bennett | Douglass | Morgan | Terry |
| Bradley | Duell | Nowlan | Travis |
| Brennan | Duguid | O'Brien | Tuthill, H. H. |
| Brodsky | Ellis | Peck | Tuttle, R. M. |
| Carpenter, E. A. | Evans | Phillips | Van Valkenburgh |
| Carpenter, I. S. | Fish | Potter | Varnum |
| Case | Gibbs | Potts | Waterbury |
| Oatlin | Gwinup | Rhodes | Wells, D. A. |
| Chamberlain | Hoffman | Root | Wells, J. L. |
| Chase | Howland | Russell | Weston |
| Chickering | Hurd | Seeley | Younge |
| Comstock | Husted | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to prevent malicious annoyance," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Cullinan | Low | Sipp |
| Andrews | Curtis | McAvoy | Sisson |
| Baker, B. F. | Davis | McCabe | Skinner |
| Baker, C. S. | Deane | McDonald | Slingerland |
| Beach | Dougherty | Miller | Strait |
| Beates | Douglass | Morgan | Terry |
| Benedict, E. D. | Duell | Nowlan | Titus |
| Bradley | Duguid | O'Brien | Travis |
| Brennan | Ellis | Parker | Treanor |
| Brodsky | Evans | Peck | Tully |
| Carpenter, E. A. | Ferris | Pitcher | Tuthill, H. H. |
| Carpenter, I. S. | Fish | Potter | Tuttle, R. M. |
| Case | Gibbs | Potts | Van Valkenburgh |

| | | | |
|------------|-----------|---------|--------------|
| Catlin | Gillette | Rhodes | Varnum |
| Chase | Gwinup | Root | Waterbury |
| Chickering | Havens | Russell | Wells, D. A. |
| Cohen | Ingersoll | Seeley | Wells, J. L. |
| Comstock | Kennedy | Shanley | Weston |
| Congdon | Lefever | Sherman | Wren |
| Costello | Liddle | Shuit | Youngs |
| Crapser | Lindsay | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to further amend an act entitled 'An act to amend chapter 65 of the Laws of 1878, relating to the collection of taxes in the counties of Livingston, Montgomery, Oswego, Ulster and Ontario,' and amended by chapter 200 of the Laws of 1879," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|----------|-----------------|
| Alvord | Curtis | Low | Sisson |
| Andrews | Davis | McAvoy | Skinner |
| Baker, B. F. | Deane | Miller | Slingerland |
| Baker, C. S. | Douglass | Mitchell | Steele |
| Beach | Ellis | Morgan | Strait |
| Beates | Evans | Nowlan | Terpeny |
| Benedict, T. E. | Ferris | Parker | Terry |
| Bennett | Fish | Phillips | Tozier |
| Bradley | Gibbs | Potter | Travis |
| Brodskey | Goraline | Potts | Treanor |
| Carpenter, I. S. | Griggs | Rhodes | Tuthill, H. H. |
| Case | Gwinup | Root | Tuttle, R. M. |
| Catlin | Havens | Russell | Van Valkenburgh |
| Chase | Hoffman | Sanders | Varnum |
| Chickering | Howland | Seeley | Waterbury |
| Childs | Hurd | Shanley | Wells, D. A. |
| Cohen | Husted | Sheridan | Wells, J. L. |
| Comstock | Kennedy | Sherman | Weston |
| Congdon | Lefever | Shuit | Wren |
| Crapser | Liddle | Sipp | Youngs |
| Cullinan | Lindsay | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to prevent fishing with nets in a part of the waters of Lake Ontario," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|---------|---------|---------|--------|
| Alvord | Curtis | Liddle | Sipp |
| Andrews | Cushing | Lindsay | Sisson |

| | | | |
|------------------|-----------|----------|-----------------|
| Baker, B. F. | Davis | McAvoy | Skinner |
| Baker, C. S. | Deane | McDonald | Slingerland |
| Beach | Duell | Miller | Steele |
| Beates | Duguid | Mitchell | Tallmadge |
| Benedict, E. D. | Ellis | Morgan | Terpeny |
| Benedict, T. E. | Evans | Nowlan | Terry |
| Bennett | Ferris | O'Brien | Titus |
| Brennan | Fish | Parker | Tozier |
| Brodsky | Fiske | Phillips | Travis |
| Carpenter, E. A. | Gibbs | Pitcher | Treanor |
| Carpenter, I. S. | Gorsline | Potter | Tully |
| Case | Gray | Potts | Tuttle, R. M. |
| Catlin | Griggs | Rhodes | Van Valkenburgh |
| Chamberlain | Gwinup | Roberts | Waterbury |
| Chase | Hoffman | Root | Wells, D. A. |
| Chickering | Howland | Russell | Wells, J. L. |
| Comstock | Hurd | Sanders | Weston |
| Congdon | Ingersoll | Seeley | Wiley |
| Crapser | Kennedy | Sherman | Youngs |
| Cullinan | Lefever | Shuit | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker presented a list of bills as selected by the Speaker and Clerk, and referred to the sub-committee of the whole; which was laid on the table and ordered printed.

(See Doc. No. 124.)

Mr. Skinner moved to lay all order of business on the table, and take up order of business the special orders of the day.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Speaker stated the first special order of the day being,

"Concurrent resolutions proposing amendments to section 6 of article 10, and sections 2, 5 and 6 of article 3 of the Constitution providing for biennial sessions of the Legislature."

"Concurrent resolutions proposing amendments to article 7 of the Constitution, and providing for the maintenance of the canals by the revenues thereof."

"An act to authorize the selection, location and appropriation of certain lands in the village of Niagara Falls, for a State reservation, and to preserve the scenery of the falls of Niagara."

The House then resolved itself into a committee of the whole, and after some time spent therein Mr. Speaker resumed the chair.

Mr. Alvord moved to extend the time of the session 15 minutes, for the purpose of taking up order of business introduction of bills, reports, etc.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Andrews introduced a bill entitled "An act to amend chapter 291 of the Laws of 1867, entitled 'An act to incorporate the city of Binghamton,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Mooers introduced a bill entitled "An act to authorize Keesville Union Free School District No. 1, of the towns of Ausable and

Chesterfield, to borrow money and issue bonds or certificates of indebtedness for the building and furnishing of a new school building, and the purchase of a site therefor," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Mooers, and by unanimous consent, said bill was ordered to a third reading.

Mr. Parker introduced a bill entitled "An act to alter the boundary line between the towns of Dunham and Windham, in the county of Greene," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Parker, and by unanimous consent, said bill was ordered to a third reading.

Mr. E. D. Benedict introduced a bill entitled "An act to amend 'An act authorizing the incorporation of rural cemeteries,' passed April 27, 1847," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. McCarthy introduced a bill entitled "An act to abolish the exaction or taking of tolls or charges for travel or traffic on plank roads or turnpikes in this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Deane introduced a bill entitled "An act for the relief of James B. Beady," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Bennett introduced a bill entitled "An act for the relief of keepers in the city and district prisons, in the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Hayes introduced a bill entitled "An act to organize a night medical service in the city of New York, and to provide medical assistance in case of sudden sickness or accident during night time," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. McDonald introduced a bill entitled "An act to provide for lights at the crossings of streets by elevated railroads in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Low introduced a bill entitled "An act to establish an inferior local court of civil and criminal jurisdiction in the village of Niagara Falls, in the town and county of Niagara, by the appointment of a police justice in said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act for the relief of the town of Newfane, to abolish the office of railroad commissioners of said town and to enable it to adjust its indebtedness and issue bonds therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Youngs, for Mr. Clowes, introduced a bill entitled "An act in relation to unpaid taxes and water assessments in Long Island City,"

which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act in relation to the city government of Long Island City," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act authorizing the appointment of special policeman for Long Beach, in the town of Hempstead, Queens county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Husted introduced a bill entitled "An act establishing the compensation of the county judge and surrogate of the county of Rockland," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Husted, and by unanimous consent, said bill was ordered to a third reading.

Mr. Bradley introduced a bill entitled "An act to amend chapter 449 of the Laws of 1876, entitled 'An act explaining, defining and regulating the effect and application of, and otherwise relating to the act passed at this session of the Legislature, entitled 'An act relating to courts, officers of justice and civil proceedings,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Travis introduced a bill entitled "An act to provide for the better protection of discharged or pardoned convicts, and to prevent breaches of the public peace, and to punish violations therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Leave of absence was granted to Mr. Tozier until Wednesday next.

Mr. Speaker presented a remonstrance of the board of underwriters against the removal of the Murray Hill reservoir; which was read and referred to the committee on affairs of cities.

Also, a remonstrance against the passage of an act entitled "An act in relation to the taxation of savings banks"; which was read and referred to the special committee on taxation.

Mr. Varnum, from the committee on affairs of cities, presented a report on street cleaning in the city of New York; which was laid on the table and ordered printed.

(See Doc. No. 112.)

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Varnum (introductory No. 1008), entitled "An act relating to certain assessments for local improvements in the city of New York," reported said bill for the consideration of the House with amendments, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Varnum, said bill was recommitted to the committee on affairs of cities, retaining its place on general orders.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. O'Brien (introductory No. 1081), entitled "An act to amend chapter 519 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was

referred the bill introduced by Mr. Varnum (introductory No. 286), entitled "An act restricting and defining the powers of the board of estimate and apportionment in the city of New York, and regulating the expenditures of the amounts appropriated by said board," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Varnum, said bill was recommitted to the committee on affairs of cities, with instructions to report complete at any time.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Varnum (introductory No. 291), entitled "An act relating to the fees, percentages and allowances of public officers, a burden upon and a charge against the various cities of the State," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Varnum, said bill was recommitted to the committee on affairs of cities, with instructions to report complete at any time.

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 164), entitled "An act to further amend chapter 908 of the Laws of 1867, entitled 'An act for the regulation of tenement and lodging-houses in the cities of New York and Brooklyn,' as amended by chapter 504 of the Laws of 1879," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Grosse (introductory No. 798), entitled "An act to amend chapter 646 of the Laws of 1873, entitled 'An act to suppress intemperance, pauperism, and crime,'" reported adversely thereto, which report was agreed to.

Mr. Tormey offered for the consideration of the House a resolution in the words following:

Resolved, That bill No. 463, general orders No. 517, entitled "An act for the relief of Lyman Tiffany," be recommitted to the committee on affairs of cities, retaining its place on general orders.

Said resolution giving rise to debate,

Ordered, That the same be laid upon the table.

Mr. C. S. Baker, from the committee on insurance, to which was referred the bill introduced by Mr. J. L. Wells (introductory No. 1075), entitled "An act to amend chapter 409 of the Laws of 1879, entitled 'An act to extend the time for the organization of the Centennial Insurance Company of New York,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. C. S. Baker, from the committee on insurance, to which was referred the Senate bill (introductory No. 419), entitled "An act to amend chapter 902 of the Laws of 1869, entitled 'An act to amend an act entitled 'An act to authorize life insurance companies to make special deposits in the Insurance Department, to require special reports, etc.,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

On motion, said bill was substituted for Assembly bill No. 466, now on order of third reading.

Mr. Duguid, from the committee on commerce and navigation, to which was referred the Senate bill (introductory No. 116), entitled "An act to authorize the improvement of certain rivers, and to facilitate the running and driving of saw logs, lumber and timber down the same," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Duguid, from the committee on commerce and navigation, to which was referred the Senate bill (introductory No. 11), entitled "An act to prevent the obstruction and incumbrance of docks, wharves and piers in the cities of New York and Brooklyn," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Slingerland (introductory No. 995), entitled "An act further to amend chapter 175 of the Laws of 1870, entitled 'An act regulating the sale of intoxicating liquors,' and the several acts amendatory thereto in so far as they relate to the city of Albany," reported adversely thereto, which report was agreed to.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Dougherty (introductory No. 139), entitled "An act to regulate the sale of intoxicating liquors in the cities of this State containing more than 20,000 inhabitants," reported adversely thereto, which report was agreed to.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Warner (introductory No. 936), entitled "An act further to amend chapter 380 of the Laws of 1852, entitled 'An act to incorporate the Canajoharie Water Works Company,'" reported adversely thereto, which report was agreed to.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. E. D. Benedict (introductory No. 656), entitled "An act in relation to the concourse at Coney Island, in Kings county, and to authorize the improvement and sale of certain portions thereof," reported adversely thereto, which report was agreed to.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Clowes (introductory No. 1069), entitled "An act in relation to assessments for taxes in Long Island City," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. E. A. Carpenter (introductory No. 561), entitled "An act in relation to the election and appointment of town officers, and providing means for the raising of moneys for current expenses of the town of Brook Haven, Suffolk county," reported in favor of the passage of the same, with amendment, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Root (introductory No. 835), entitled "An act to further amend an act entitled 'An act to amend an act to prevent animals from running at large in the public highways,' passed April 23, 1862, and to create a short bar to actions arising under said act, passed March 9, 1867," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Waterbury (introductory No. 769), entitled "An act in relation to the temporary relief of the poor in the town of Goshen, Orange county," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Russell (introductory No. 511), entitled "An act to regulate the sale of spirituous liquors, wines and beer, and to punish intoxication in the cities of New York and Brooklyn," reported adversely thereto, which report was agreed to.

Mr. Sanders, from the committee on affairs of villages, to which was referred the Senate bill (introductory No. 495), entitled "An act to amend chapter 46 of the Laws of 1872, entitled 'An act to amend an act entitled 'An act to amend and consolidate the charter of the village of Middletown,' passed March 31, 1866,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the Senate bill (introductory No. 183), entitled "An act prohibiting the sale or giving of spirituous liquor or wine to inmates of the New York State Soldiers and Sailors' Home," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Davis said bill was ordered to a third reading.

Mr. Weston, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Travis (introductory No. 399), entitled "An act to amend chapter 245 of the Laws of 1878, entitled 'An act to amend article 5 of title 1, chapter 16 of part 1 of the Revised Statutes, as to highways,'" reported adversely thereto, which report was agreed to.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to establish and maintain a police force in the city of Troy."

"An act to grant relief to the sureties of trustees, committees or guardians appointed by or accountable to the Supreme Court, or any county court of the State."

"An act to release to Louisa Dodge, Charles Dodge, Edward Dodge, William J. Dodge and Elizabeth King, wife of William King, the interest of the people of the State of New York in and to certain real estate in the village of Gloversville, county of Fulton, of which Charles Dodge died seized."

"An act to suppress tippling and the drink trade in the counties of Allegany and Steuben."

"An act to provide for the organization and formation of companies for the purpose of increasing the water supply of Deer river, in Lewis county, in aid of the milling and manufacturing interests thereof."

"An act to amend section 1 of chapter 453 of the Laws of 1870, entitled 'An act to amend an act entitled 'An act to incorporate the village of Chateaugay, in the county of Franklin,' passed May 3, 1869.'"

"An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game.'"

"An act to amend chapter 555, Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction.'"

"An act to amend section 37, chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game.'"

"An act to amend chapter 265 of the Laws of 1848, entitled 'An act to provide for the incorporation and regulation of telegraph companies.'"

"An act in relation to taxes and assessments levied prior to January 1, 1874, in the towns annexed from the county of Westchester to the city of New York."

"An act to amend chapter 77 of the Laws of 1846, entitled 'An act to provide for the erection and establishment of a work-house in the county of Erie.'"

"An act to permit the admission of persons not paupers into the asylums of this State."

"An act supplemental to chapter 194 of the Laws of 1849, entitled 'An act to vest in the board of supervisors certain legislative powers, and to prescribe their fees for certain services,' and to repeal chapter 597 of the Laws of 1870, amendatory of said act."

"An act to vest certain powers in the president of the Kingston Board of Education, and the supervisor of the town of Ulster, formerly Kingston, and to facilitate the collection of taxes in the Kingston school district."

"An act to provide for payment of a salary to the county clerks of Richmond and Franklin counties in lieu of all charges now made against the county."

"An act for the protection of farmers and market gardeners."

"An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction.'"

"An act to require banks, banking associations and individual bankers to redeem and retire their circulating notes, and to authorize the Superintendent of the Banking Department to return the securities held by him to secure such circulation."

"An act authorizing the enlargement of the west branch of the Eighteen Mile creek, north of the Erie canal, in the county of Niagara, so as to carry off the surplus waters of the Erie canal, and to prevent the overflow of lands adjacent thereto, and appropriating money for that purpose."

"An act allowing husbands and wives to deed and convey, sell, transfer and assign any real or personal property one to the other directly, and to pass the same title to the property as if the parties were unmarried."

"An act to incorporate the Grand Legion Select Knights of Ancient Order of United Workmen."

"An act to amend chapter 65 of the Laws of 1829, entitled 'An act concerning the writ of certiorari in criminal cases.'"

"An act authorizing physicians of the different medical schools to meet in consultation."

"An act to amend section 435 of the Code of Civil Procedure."

"An act to provide for the protection and preservation of fish in the county of Monroe, State of New York."

"An act to legalize the acts of Franklin O. Whitney as a notary public."

"An act to provide for the relief of the city of Rochester and the New York Central and Hudson River Railroad Company in said city."

"An act to amend chapter 780 of the Laws of 1868, entitled 'An act in relation to a system of sewerage in and for the city of Syracuse.'"

"An act to change the name of Hamburg Cemetery Association to Prospect Lawn Cemetery Association, and to legalize certain acts of said association."

"An act to legalize the action of the annual town meeting of the town of Johnstown, in the county of Fulton, held on the 10th and 11th of February, 1880, in raising money for roads and bridges and authorizing the collection thereof."

"An act authorizing certain officers of the town of Orleans to issue bonds to pay indebtedness of said town."

"An act to amend section 1 of chapter 792 of the Laws of 1866, entitled 'An act to incorporate the village of Port Richmond in the county of Richmond.'"

"An act to amend chapter 240, Laws of 1827, entitled 'An act for incorporating an aqueduct association in the village of Cooperstown, in the county of Otsego.'"

Mr. Bullock offered for the consideration of the House a resolution in the words following:

Resolved, That bill No. 714, introductory No. 1,006, entitled "An act for the better security of the public health and the prevention of nuisances in the county of New York," be recommended to the committee of public health, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Wren, and at two o'clock and fifteen minutes, the House took a recess until four P. M.

FOUR O'CLOCK, P. M.

The House again met.

Mr. Speaker presented a list of bills, selected by the Speaker and Clerk, for reference to the sub-committee of the whole; which was laid on the table and ordered printed:

No. 340, Int. 573, G. O. 364, Mr. Warner: "An act to amend chapter 175 of the Laws of 1875, entitled 'An act to regulate the sale of baled hay and straw, in the State of New York.'"

No. 518, Int. 770, G. O. 593, Mr. Comstock: "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the village of Lansingburgh,' passed April 16, 1864, and the several acts additional thereto and amendatory thereof."

No. 527, Int. 766, G. O. 600, Mr. Mitchell: "An act to amend the 12th section of the 'Act to authorize the formation of corporations for manufacturing, mining, mechanical, or chemical purposes,' passed February 17, 1848, as said section was amended by chapter 657 of the Laws of 1871, and as further amended by chapter 510 of the Laws of 1875."

No. 539, Int. 783, G. O. 614, Mr. McCarthy: "An act to incorporate the Bachelor Club of the city of New York."

No. 583, Int. 938, G. O. 667, Mr. Miller: "An act to exempt the town of Lenox, in the county of Madison, from the provisions and operation of chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties.'"

No. 584, Int. 687, G. O. 668, Mr. Tuttle: "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors.'"

No. 585, Int. 918, G. O. 669, Mr. Phillips: "An act to regulate the dimensions and measurement of apple barrels."

No. 590, Int. 857, G. O. 675, Mr. B. F. Baker: "An act to amend chapter 381 of the Laws of 1877, entitled 'An act to amend chapter 896 of the Laws of 1869, entitled 'An act to incorporate the Crescent Company, and to extend the time within which the company thereby created may commence operations,' passed June 2, 1877, and to further extend the time within which said company may commence operations.'"

No. 594, Int. 893, G. O. 680, Mr. Sisson: "An act to amend section 27, article 2, title 2, chapter 1, part 4 of the Revised Statutes of the State of New York."

No. 621, Int. 923, G. O. 714, Mr. E. D. Benedict: "An act authorizing the board of trustees of school district number 3 of the town of New Lots, in the county of Kings, to issue bonds to the amount of \$10,000 to refund or pay a like amount of bonds issued by said board of trustees for the erection of a school-house in pursuance of chapter 191 of the Laws of 1870."

No. 622, Int. 763, G. O. 715, Mr. Hoffman: "An act to vest in the board of supervisors several additional powers."

No. 645, Int. 689, G. O. 747, Mr. McDonald: "An act to secure the payment of mechanics, laborers and workmen, who perform work, also persons furnishing materials toward the erection, altering or repairing buildings, wharves, vaults or any other structure in the cities of the State of New York."

No. 651, Int. 483, G. O. 760, Mr. Clowes: "An act to amend chapter 441 of the Laws of 1864, entitled 'An act in relation to the performance of highway labor in Queens county.'"

No. 657, Int. 934, G. O. 771, Mr. McCarthy: "An act to incorporate the Robert Emmet Philo-Celtic Literary Society in the city of New York."

No. 659, Int. 932, G. O. 773, Mr. H. H. Tuthill: "An act for the protection of corporations organized for generating and distributing steam for heating and other purposes."

No. 661, Int. 970, G. O. 775, Mr. Terry: "An act to amend chapter 702 of the Laws of 1871, entitled 'An act relative to contracts for advertisements in newspapers published on Sunday.'"

No. 662, Int. 955, G. O. 776, Mr. Fiske: "An act to authorize and direct the county clerk of Richmond county to record certain papers now on file in the Richmond county clerk's office."

No. 668, Int. 850, G. O. 786, Mr. Terpeny: "An act in relation to the opening, regulating and grading of 126th and 127th streets in the city of New York."

No. 671, Int. 776, G. O. 790, Mr. Bullock: "An act to amend chapter 70 of the Laws of 1858, entitled 'An act to incorporate the village of Olean in the county of Cattaraugus,' and of the several acts amendatory thereof."

No. 673, Int. 1004, G. O. 792, Mr. Sharpe: "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages.'"

No. 683, Int. 924, G. O. 806, Mr. J. L. Wells: "An act authorizing the incorporation of Villa Park and suburban homestead associations."

No. 688, Int. 1028, G. O. 811, Mr. Shanley: "An act in relation to the sale and conveyance of any interest in real estate belonging to lunatics or idiots or habitual drunkards."

No. 691, Int. 492, G. O. 814, Mr. B. F. Baker: "An act to exempt the county of Saratoga from the provisions of act chapter 733, Laws of 1872," so far as it authorizes the employment of assistant counsel to the district attorney of any county.

No. 694, Int. 721, G. O. 822, Mr. Clowes: "An act to amend section 5 of article 1, title 2, chapter 11 of part 1 of the Revised Statutes," relating to town meetings.

No. 709, Int. 745, G. O. 844, Mr. Sharpe: "An act to fix the salary of the town clerk and commissioner of highways of the town of Saugerties, Ulster county."

No. 712, Int. 1011, G. O. 848, Mr. Steele: "An act to confirm the election of village trustees in certain cases, and to provide for and determine, by lot, their respective terms of office."

Senate bill No. 29, Int. 18, G. O. 579, Mr. Madden: "An act to establish the compensation of the county judge and judge and surrogate of the county of Orange."

Senate bill No. 169, Int. 121, G. O. 608, Mr. Davenport: "An act to legalize the official acts and proceedings of Hiram Dimick, a justice of the peace of the town of Wirt, in the county of Allegany."

Mr. Speaker stated that the House would resume the consideration of the special order, which was under consideration in the morning session.

The House then resolved itself into committee of the whole on the concurrent resolutions and bill entitled as follows:

"Concurrent resolution proposing amendments to article 7 of the Constitution, and providing for the maintenance of the canals by the revenues thereof."

"Concurrent resolution proposing amendments to section 6 of article 10, and sections 2, 5 and 6 of article 3 of the Constitution, providing for biennial sessions of the Legislature."

"An act to authorize the selection, location and appropriation of certain lands in the village of Niagara Falls, for a State reservation, and to preserve the scenery of the falls of Niagara."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Chickering, from said committee, reported progress on the first named concurrent resolution, and asked and obtained leave to sit again.

Mr. Chickering, from said committee, also reported in favor of the passage of the second named concurrent resolution, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Chickering, from said committee, also reported progress on the above named bill, and asked and obtained leave to sit again.

Mr. Alvord moved to discharge the committee of the whole from the further consideration of said first named concurrent resolution, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Husted moved to discharge the committee of the whole from the further consideration of the above named bill, and that the same be engrossed and ordered to a third reading.

Mr. Husted moved the previous question.

Mr. Speaker put the question, "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Husted, and it was determined in the affirmative.

{ AYES 60 }
{ NOES 31 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Duguid | O'Connor | Tallmadge |
| Baker, B. F. | Evans | Parker | Terpeny |
| Baker, C. S. | Fiske | Phillips | Terry |
| Beach | Gillette | Pitcher | Thilemann |
| Bradley | Hurd | Potter | Titus |
| Brennan | Husted | Root | Torney |
| Bredsky | Ingersoll | Seeley | Travis |
| Bulloek | Kennedy | Shanley | Tuttle, R. M. |
| Carpenter, E. A. | Lefever | Sheridan | Van Valkenburgh |
| Carpenter, I. S. | Low | Sherman | Varnum |
| Catlin | Miller | Shuit | Waterbury |
| Chamberlain | Mitchell | Sipp | Wells, D. A. |
| Chickering | Morgan | Skinner | Wells, J. L. |
| Davis | Newman | Steele | Youngs |
| Deane | Nowlan | Strait | Mr. Speaker |

Those who voted in the negative, were

| | | | |
|-----------------|----------|---------|-------------|
| Andrews | Cohen | Gibbs | McCarthy |
| Benedict, E. D. | Crapser | Gray | Peck |
| Benedict, T. E. | Cullinan | Gwinup | Rhodes |
| Bridges | Curtis | Hagan | Slingerland |
| Case | Cushing | Havens | Tozier |
| Chase | Ellis | Hoffman | Treanor |
| Childs | Ferris | Howland | Walsh |
| Clancy | Fish | McAvoy | |

The hour of six having arrived, the House adjourned.

FRIDAY MORNING, APRIL 23, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Edward Stratton, of Greenbush.

The journal of yesterday was read and approved.

The Senate sent for concurrence the following resolutions:

Resolved (if the Assembly concur), That a respectful message be sent to His Excellency the Governor, requesting the return for amendment of Senate bill No. 173, entitled "An act to provide for the organization and regulation of certain business corporations, passed June 21, 1875."

Mr. Speaker put the question whether the House would concur in the passage of said resolution, and it was determined in the affirmative.

Also,

Resolved (if the Assembly concur), That a respectful message be sent to His Excellency the Governor requesting him to return for amendment Senate bill No. 136, entitled "An act to facilitate the carrying out of plans and agreements for the reorganization of railroads."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolutions to the Senate with a message informing of concurrence therein.

Mr. Speaker directed the Clerk to call the roll of members to ascertain if a quorum was present, and the following members answered to their names :

| | | | |
|------------------|----------|----------|-----------------|
| Alvord | Crapsier | Kennedy | Sheridan |
| Baker, B. F. | Cullinan | Lefever | Sipp |
| Baker, C. S. | Curtis | Lindsay | Sisson |
| Beates | Cushing | Low | Skinner |
| Benedict, T. E. | Davis | Miller | Slingerland |
| Bradley | Deane | Mooers | Steele |
| Brennan | Duell | Morgan | Tallmadge |
| Bridges | Duguid | Newman | Terpeny |
| Brodaky | Ellis | Nowlan | Travis |
| Bullock | Evans | O'Brien | Tully |
| Carpenter, E. A. | Ferris | Parker | Tuttle, R. M. |
| Carpenter, I. S. | Fish | Phillips | Van Valkenburgh |
| Case | Gibbs | Pitcher | Wells, J. L. |
| Chamberlain | Gray | Potts | Weston |
| Chickering | Gwinup | Root | Youngs |
| Clark | Hoffman | Russell | Mr. Speaker |
| Comstock | Howland | Seeley | |

67

A quorum being present,

The Senate sent for concurrence the bills entitled as follows:

"An act to amend section 3 of title 2 of chapter 510 of the Laws of 1869, entitled 'An act to amend an act entitled 'An act to incorporate the village of Flushing, passed April 15, 1837,' and the several acts amendatory thereof, passed March 20, 1857,'" which was read the first time, and by unanimous consent was also read the second time.

Said bill was substituted for Assembly bill, general orders No. 655, now on order of third reading.

"An act authorizing the surrogate of the county of Erie to appoint a stenographer for the surrogate's court of said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 285 of the Laws of 1874, entitled 'An act in reference to the cemetery in the village of Herkimer,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act to amend chapter 258 of the Laws of 1849, entitled 'An act in relation to suits by and against joint-stock companies and associations, and also to amend chapter 455 of the Laws of 1851, entitled 'An act to extend the act in relation to suits by and against joint-stock companies and associations, to companies having a joint or common interest in property,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 257 of the Laws of 1863, entitled 'An act in relation to draining certain low lands situate in the towns of Bloomingrove and Chester, in the county of Orange,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act extending the jurisdiction of courts of special sessions except in the city of Albany and in the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 519 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo, which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act for the relief of Thomas Cottman," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 448 of the Laws of 1876, entitled 'An act relating to courts, officers of justice and civil proceedings,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in relation to arrears of personal taxes in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to provide for the establishment and maintenance of a public market place for farmers and market gardeners, in the city of New York, for the acquisition of lands for this purpose, and for the regulation and management of the same," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Said bill was substituted for Assembly bill No. 267, now on order of third reading.

"An act further to regulate the admission to this State of fire insurance companies from other countries than the United States, and to prohibit the making and publishing of false statements and reports," which was read the first time, and by unanimous consent was also read the second time.

Mr. Tallmadge moved that said bill be substituted for Assembly bill No. 700, now on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Tallmadge moved that said bill be considered in committee of the whole, immediately after the present order of business was gone through with.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

A message from the Senate was received in the words following :

IN SENATE, *April 16, 1880.*

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to amend chapter 777, entitled 'An act to incorporate the village of Walden, in the county of Orange.'"

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. Madden, the same was recommitted to the committee on affairs of villages, and by said committee reported back, amended as follows :

Section 1, line 7, engrossed bill, after word " the " insert " trustees."

And as amended passed, re-engrossed and ordered sent to the Assembly for concurrence. By order.

JOHN W. VROOMAN, *Clerk.*

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Comstock | Liddle | Sipp |
| Andrews | Congdon | Lindsay | Sisson |
| Baker, B. F. | Cullinan | Low | Skinner |
| Baker, C. S. | Curtis | Mead | Slingerland |
| Beach | Davis | Miller | Strait |
| Beates | Deane | Mooers | Tallmadge |
| Benedict, E. D. | Dougherty | Morgan | Terpeny |
| Bradley | Douglass | Newman | Terry |
| Brennan | Duell | Nowlan | Travis |
| Bridges | Evans | O'Brien | Tully |
| Brodskey | Fish | Parker | Tuttle, R. M. |
| Bullock | Gray | Phillips | Van Valkenburgh |
| Carpenter, E. A. | Griggs | Pitcher | Warner |
| Carpenter, I. S. | Gwinup | Potts | Waterbury |
| Case | Hoffman | Root | Wells, D. A. |
| Catlin | Howland | Russell | Wells, J. L. |
| Chase | Ingersoll | Seeley | Weston |
| Chickering | Kennedy | Sheridan | Youngs |
| Childs | Lefever | Sherman | Mr. Speaker |
| Clark | | | |

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members present voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|----------|----------|---------------|
| Alvord | Comstock | Lefever | Sipp |
| Andrews | Crapser | Liddle | Sisson |
| Baker, B. F. | Cullinan | Lindsay | Skinner |
| Baker, C. S. | Cushing | Low | Slingerland |
| Beach | Davis | McTernan | Steele |
| Beates | Deane | Mead | Strait |
| Benedict, T. E. | Douglass | Miller | Tallmadge |
| Bradley | Duell | Mooers | Terpeny |
| Brennan | Duguid | Morgan | Terry |
| Bridges | Ellis | Newman | Travis |
| Brodskey | Evans | Nowlan | Tuttle, R. M. |

| | | | |
|------------------|---------|----------|-----------------|
| Bullock | Fish | O'Brien | Van Valkenburgh |
| Carpenter, E. A. | Gibbs | Parker | Varnum |
| Carpenter, I. S. | Gray | Phillips | Warner |
| Case | Griggs | Pitcher | Waterbury |
| Catlin | Havens | Potts | Wells, D. A. |
| Chamberlain | Hayes | Root | Wells, J. L. |
| Chickering | Hoffman | Russell | Weston |
| Childs | Howland | Seeley | Youngs |
| Clancy | Hurd | Sheridan | Mr. Speaker |
| Clark | Kennedy | Sherman | |

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

A message from the Senate was received and read informing of concurrence in the passage of the bills entitled as follows:

"An act repealing certain acts and parts of acts."

"An act extending the time for collecting taxes in the town of Moriah, county of Essex."

Ordered, That the Clerk deliver said bills to the Governor.

A message from the Senate was received and read, in words following:

IN SENATE, April 20, 1880.

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to amend chapter 446 of the Laws of 1874, entitled 'An act to revise and consolidate the statutes of the State relating to the care and custody of the insane, the management of the asylums for their treatment and safe-keeping, and the duties of the State Commissioner in Lunacy.'"

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. Braman, and by unanimous consent, the same was amended as follows:

Section 2, line 16, engrossed bill, strike out the words "each succeeding year" and insert the words "two years more."

And as amended passed, re-engrossed, and ordered sent to the Assembly for concurrence.

By order.

JOHN W. VROOMAN, *Clerk*.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|----------|----------|-------------|
| Alvord | Crapser | Lefever | Shuit |
| Andrews | Cullinan | Liddle | Sipp |
| Baker, B. F. | Curtis | Lindsay | Sisson |
| Baker, C. S. | Cushing | Low | Skinner |
| Beach | Davis | McTernan | Slingerland |
| Beates | Deane | Mead | Steele |
| Benedict, E. D. | Douglass | Miller | Strait |
| Bradley | Duell | Mooers | Tallmadge |
| Brennan | Duguid | Morgan | Terpeny |
| Bridges | Ellis | Newman | Terry |

| | | | |
|------------------|----------|----------|-----------------|
| Brodsky | Ferris | Nowlan | Travis |
| Bullock | Fish | O'Brien | Tully |
| Carpenter, E. A. | Gibbs | Parker | Tuttle, R. M. |
| Carpenter, I. S. | Gorsline | Phillips | Van Valkenburgh |
| Case | Gray | Pitcher | Varnum |
| Catlin | Griggs | Potts | Warner |
| Chamberlain | Havens | Rhodes | Wells, D. A. |
| Chickering | Hayes | Root | Wells, J. L. |
| Childs | Hoffman | Russell | Weston |
| Clancy | Howland | Seeley | Youngs |
| Clark | Hurd | Sheridan | Mr. Speaker |
| Comstock | Kennedy | | |

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|----------|-----------------|
| Alvord | Crapser | Liddle | Sherman |
| Andrews | Cullinan | Lindsay | Sipp |
| Baker, B. F. | Cushing | Low | Sisson |
| Baker, C. S. | Davis | McCabe | Skinner |
| Beach | Deane | Mead | Slingerland |
| Beates | Douglass | Miller | Steele |
| Benedict, E. D. | Duell | Mooers | Strait |
| Bradley | Duguid | Morgan | Tallmadge |
| Brennan | Ellis | Newman | Terpeny |
| Bridges | Ferris | Nowlan | Terry |
| Brodsky | Fish | O'Brien | Travis |
| Carpenter, E. A. | Gibbs | Parker | Tully |
| Carpenter, I. S. | Gray | Peck | Tuttle, R. M. |
| Case | Griggs | Phillips | Van Valkenburgh |
| Catlin | Gwinup | Pitcher | Varnum |
| Chamberlain | Havens | Potter | Warner |
| Chase | Hayes | Potts | Wells, D. A. |
| Chickering | Hoffman | Rhodes | Wells, J. L. |
| Childs | Howland | Root | Weston |
| Clancy | Hurd | Russell | Wren |
| Clark | Kennedy | Sheridan | Youngs |
| Comstock | Lefever | | |

Ordered, That the Clerk return said resolution to the Senate, with a message informing of concurrence in their amendments.

A message was received from the Governor in the words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }
ALBANY, April 21, 1880. }

To the Assembly:

In accordance with a joint resolution of the Senate and Assembly, herewith is returned, for amendment, Assembly bill No. 135, entitled "An act to amend section 3 of chapter 176 of the Laws of 1876, entitled 'An act supplementary to chapter 60 of the Laws of 1813, entitled 'An act to provide for the incorporation of religious societies,' and the acts supplementary thereto.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to

reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|----------|-----------------|
| Alvord | Cullinan | Kennedy | Shuit |
| Andrews | Cushing | Lefever | Sisson |
| Baker, B. F. | Davis | Liddle | Skinner |
| Baker, C. S. | Deane | Lindsay | Slingerland |
| Beach | Douglass | Low | Steele |
| Beates | Duell | Mead | Strait |
| Benedict, E. D. | Duguid | Miller | Tallmadge |
| Brennan | Ellis | Mooers | Terpeny |
| Bridges | Evans | Morgan | Terry |
| Brodsky | Ferris | Newman | Travis |
| Carpenter, E. A. | Fish | Nowlan | Tully |
| Carpenter, I. S. | Gibbs | O'Brien | Tuttle, R. M. |
| Case | Gillette | Parker | Van Valkenburgh |
| Catlin | Gorsline | Phillips | Varnum |
| Chamberlain | Gray | Pitcher | Warner |
| Chickering | Griggs | Potts | Wells, D. A. |
| Childs | Gwinup | Rhodes | Wells, J. L. |
| Claney | Hayes | Root | Weston |
| Clark | Hoffman | Russell | Wren |
| Comstock | Howland | Sheridan | Youngs |
| Crapser | Hurd | Sherman | |

On motion of Mr. Beates, and by unanimous consent, said bill was amended in words following:

Page 2 of engrossed bill, strike out the word "name" and insert the word "names;" strike out the word "churoh" and insert the word "churches," and after the word "deem" insert the word "it."

Page 3 of engrossed bill, stike out the word "act" and insert the word "acts."

Said bill, as amended, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 85 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|----------|---------------|
| Alvord | Cullinan | Hurd | Shanley |
| Andrews | Curtis | Kennedy | Sheridan |
| Baker, B. F. | Cushing | Lefever | Sipp |
| Baker, C. S. | Davis | Liddle | Sisson |
| Beach | Deane | Lindsay | Skinner |
| Beates | Douglass | Low | Slingerland |
| Benedict, E. D. | Duell | McTernan | Steele |
| Benedict, T. E. | Duguid | Mead | Strait |
| Brennan | Ellis | Miller | Tallmadge |
| Bridges | Ferris | Mooers | Terpeny |
| Brodsky | Fish | Morgan | Terry |
| Carpenter, E. A. | Gibbs | Newman | Travis |
| Carpenter, I. S. | Gillette | Nowlan | Tully |
| Case | Gorsline | O'Brien | Tuttle, R. M. |

| | | | |
|-------------|---------|----------|-----------------|
| Catlin | Gray | Parker | Van Valkenburgh |
| Chamberlain | Griggs | Phillips | Varnum |
| Chickering | Gwinup | Pitcher | Warner |
| Childs | Havens | Potts | Wells, D. A. |
| Clancy | Hayes | Rhodes | Wells, J. L. |
| Clark | Hoffman | Root | Weston |
| Comstock | Howland | Russell | Youngs |
| Crapser | | | |

Those who voted in the negative, were
Sherman

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A message was received from the Governor, in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }
ALBANY, April 21, 1880. }

To the Assembly:

Pursuant to a joint resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 277, entitled "An act conferring additional powers upon the board of supervisors of Franklin county."

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|-----------|-----------------|
| Alvord | Crapser | Ingersoll | Sheridan |
| Andrews | Cullinan | Kennedy | Sipp |
| Baker, B. F. | Cushing | Lefever | Sisson |
| Baker, C. S. | Davis | Liddle | Skinner |
| Beach | Deane | Lindsay | Slingerland |
| Beates | Douglass | McAvoy | Steele |
| Benedict, E. D. | Duell | Mead | Strait |
| Benedict, T. E. | Duguid | Miller | Tallmadge |
| Brennan | Ellis | Moore | Terpeny |
| Bridges | Evans | Morgan | Terry |
| Brodsky | Fish | Newman | Travis |
| Bullock | Gibbs | Nowlan | Tully |
| Carpenter, E. A. | Gillette | O'Brien | Tuttle, R. M. |
| Carpenter, I. S. | Gorsline | Parker | Van Valkenburgh |
| Case | Gray | Phillips | Varnum |
| Catlin | Griggs | Pitcher | Warner |
| Chamberlain | Havens | Potts | Waterbury |
| Chase | Hayes | Rhodes | Wells, D. A. |
| Chickering | Hoffman | Root | Wells, J. L. |
| Childs | Howland | Russell | Weston |
| Clark | Hurd | Seeley | Youngs |
| Comstock | | | |

On motion of Mr. Brennan, and by unanimous consent, said bill was amended in words following:

"An act conferring additional powers upon the board of supervisors for the laying out of highways through unoccupied and unimproved tracts of land."

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The board of supervisors of any county in this State containing more than 300,000 acres of unoccupied and unimproved forest lands, in addition to the powers now possessed by said board, is hereby authorized to establish separate highway districts in such county, for the purpose of laying out and constructing highways through such unimproved and unoccupied tracts of land in such county. Any highway district established under the provisions of this act shall consist of contiguous tracts or parcels of land and may include within its limits parts of one or more towns, and the same may be changed, altered or abolished at any time by said board of supervisors. The said board of supervisors shall have power to appoint a commissioner or commissioners to lay out and construct highways in any such district, and to prescribe their powers and duties. And may also direct the manner in which highway taxes shall be assessed, levied and collected upon the lands embraced in any such district, and likewise the manner of expenditure thereof. The said board of supervisors may also authorize commissioners appointed under this act to borrow money on such terms as said board shall direct, but not exceeding the estimated amount of ten years' highway taxes upon the lands embraced within the district in which such loan is authorized, and may, for the purpose of repaying any such loan, set apart and appropriate the highway taxes upon lands in any such district for a period not exceeding ten years from the time of making such loan.

§ 2. This act shall take effect immediately.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Curtis | Liddle | Sherman |
| Andrews | Cushing | Lindsay | Sipp |
| Baker, B. F. | Davis | Low | Sisson |
| Baker, C. F. | Deane | Mead | Skinner |
| Beach | Douglass | Miller | Slingerland |
| Beates | Duell | Moors | Steele |
| Benedict, E. D. | Duguid | Morgan | Strait |
| Bradley | Ellis | Newman | Tallmadge |
| Bridges | Fish | Nowlan | Terpeny |
| Brodsky | Gibbs | O'Brien | Terry |
| Bullock | Gillette | Parker | Travis |
| Carpenter, E. A. | Gorsline | Phillips | Tully |
| Carpenter, I. S. | Gray | Pitcher | Tuttle, R. M. |
| Catlin | Griggs | Potter | Van Valkenburgh |
| Chase | Hayes | Potts | Varnum |
| Chickering | Hoffman | Rhodes | Warner |
| Childs | Howland | Root | Wells, J. L. |
| Clark | Hard | Russell | Weston |
| Cornstock | Ingersoll | Seeley | Wren |

Crapser
Cullinan

Kennedy
Lefever

Shanley
Sheridan

Youngs

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A message was received from the Governor, in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }
ALBANY, April 21, 1880. }

To the Assembly:

Pursuant to a joint resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill, not printed, entitled "An act to amend the charter of Germania Fire Insurance Company," so as to change time of election of directors.

ALONZO B. CORNELL

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Cushing | Lefever | Sipp |
| Andrews | Davis | Liddle | Sisson |
| Baker, B. F. | Deane | Lindsay | Skinner |
| Baker, C. S. | Dougherty | Low | Slingerland |
| Beach | Douglass | Mead | Steele |
| Beates | Duell | Miller | Strait |
| Benedict, E. D. | Duguid | Mooers | Tallmadge |
| Bradley | Ellis | Morgan | Terpeny |
| Brennan | Ferris | Newman | Terry |
| Bridges | Fish | Nowlan | Travis |
| Brodsky | Gibbs | O'Brien | Tully |
| Bullock | Gillette | Parker | Tuttle, R. M. |
| Carpenter, I. S. | Gorsaline | Phillips | Van Valkenburgh |
| Catlin | Gray | Pitcher | Varnum |
| Chase | Havens | Potts | Warner |
| Chickering | Hayes | Rhodes | Wells, D. A. |
| Clark | Hoffman | Root | Wells, J. L. |
| Cohen | Howland | Russell | Weston |
| Comstock | Hurd | Seeley | Wiley |
| Crapser | Ingersoll | Sheridan | Wren |
| Cullinan | Kennedy | Sherman | Youngs |
| Curtis | | | |

On motion of Mr. J. L. Wells, and by unanimous consent, said bill was amended in words following:

Strike out all of section 1 and insert in place thereof the following:

"The next annual election of directors of the Germania Fire Insurance Company, located in the city of New York, shall be held on the last Tuesday of December, in the year 1880, and thereafter the annual election of directors of said company shall be on the last Tuesday of December, in each year, instead of on the third Tuesday of March."

Amend the title so as to read:

"An act to change the time of election of directors of the Germania Fire Insurance Company, located in the city of New York."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present:

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Crapsér | Leféver | Sheridan |
| Andrews | Cullinan | Liddle | Sherman |
| Beach | Curtis | Lindsay | Sipp |
| Beates | Davis | Low | Simon |
| Benedict, E. D. | Deane | McDonald | Stingerland |
| Bradley | Dougherty | Mead | Steele |
| Brennan | Douglass | Miller | Strait |
| Bridges | Duell | Mitchell | Tallmadge |
| Brodsky | Duguid | Mooers | Terpeny |
| Bullock | Ellis | Morgan | Terry |
| Carpenter, E. A. | Ferris | Newman | Travis |
| Carpenter, I. S. | Fish | Nowlan | Tully |
| Case | Gibbs | O'Brien | Tuttle, R. M. |
| Catlin | Gorsline | Parker | Van Valkenburgh |
| Chamberlain | Gray | Phillips | Varnum |
| Chase | Havens | Pitcher | Warner |
| Chickering | Hayes | Potts | Wells, D. A. |
| Childs | Hoffman | Rhodes | Wells, J. L. |
| Clark | Howland | Root | Weston |
| Cohen | Hurd | Russell | Wiley |
| Comstock | Ingersoll | Seeley | Youngs |
| Costello | Kennedy | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The Senate sent for concurrence the bill entitled "An act for the relief of the Third Avenue Railroad Company, and to authorize the comptroller of the city of New York to pay the amount which may be found justly due to that company for services performed and material furnished in repairing certain streets in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Skinner offered, in connection with said bill, the following:

Resolved, That the committee on railroads be discharged from the further consideration of Assembly bill, introductory No. 1051, entitled "An act for the relief of the Third Avenue Railroad Company, and to authorize the comptroller of the city of New York to pay the amount which may be found justly due to that company for services performed and material furnished in repairing certain streets in said city," and that the same be referred to the committee on affairs of cities.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate sent for concurrence the bills entitled as follows:

"An act to extend the operation and effect of the act passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Crapser
Cullinan

Kennedy
Lefever

Shanley
Sheridan

Youngs

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A message was received from the Governor, in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }
ALBANY, April 21, 1880. }

To the Assembly:

Pursuant to a joint resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill, not printed, entitled "An act to amend the charter of Germania Fire Insurance Company," so as to change time of election of directors.

ALONZO B. CORNELL

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Cushing | Lefever | Sipp |
| Andrews | Davis | Liddle | Sisson |
| Baker, B. F. | Deane | Lindsay | Skinner |
| Baker, C. S. | Dougherty | Low | Slingerland |
| Beach | Douglass | Mead | Steele |
| Beates | Duell | Miller | Strait |
| Benedict, E. D. | Duguid | Moors | Tallmadge |
| Bradley | Ellis | Morgan | Terpeny |
| Brennan | Ferris | Newman | Terry |
| Bridges | Fish | Nowlan | Travis |
| Brodsky | Gibbs | O'Brien | Tully |
| Bullock | Gillette | Parker | Tuttle, R. M. |
| Carpenter, I. S. | Gorsline | Phillips | Van Valkenburgh |
| Catlin | Gray | Pitcher | Varnum |
| Chase | Havens | Potts | Warner |
| Chickering | Hayes | Rhodes | Wells, D. A. |
| Clark | Hoffman | Root | Wells, J. L. |
| Cohen | Howland | Russell | Weston |
| Comstock | Hurd | Seeley | Wiley |
| Crapser | Ingersoll | Sheridan | Wren |
| Cullinan | Kennedy | Sherman | Youngs |
| Curtis | | | |

On motion of Mr. J. L. Wells, and by unanimous consent, said bill was amended in words following:

Strike out all of section 1 and insert in place thereof the following:

"The next annual election of directors of the Germania Fire Insurance Company, located in the city of New York, shall be held on the last Tuesday of December, in the year 1880, and thereafter the annual election of directors of said company shall be on the last Tuesday of December, in each year, instead of on the third Tuesday of March."

Amend the title so as to read:

"An act to change the time of election of directors of the Germania Fire Insurance Company, located in the city of New York."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present:

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Crapser | Lefever | Sheridan |
| Andrews | Cullinan | Liddle | Sherman |
| Beach | Curtis | Lindsay | Sipp |
| Beates | Davis | Low | Simon |
| Benedict, E. D. | Deane | McDonald | Slingerland |
| Bradley | Dougherty | Mead | Steele |
| Brennan | Douglass | Miller | Strait |
| Bridges | Duell | Mitchell | Tallmadge |
| Brodsky | Duguid | Moore | Terpeny |
| Bullock | Ellis | Morgan | Terry |
| Carpenter, E. A. | Ferris | Newman | Travis |
| Carpenter, I. S. | Fish | Nowlan | Tully |
| Case | Gibbs | O'Brien | Tuttle, R. M. |
| Catlin | Gorsline | Parker | Van Valkenburgh |
| Chamberlain | Gray | Phillips | Varnum |
| Chase | Havens | Pitcher | Warner |
| Chickering | Hayes | Potts | Wells, D. A. |
| Childs | Hoffman | Rhodes | Wells, J. L. |
| Clark | Howland | Root | Weston |
| Cohen | Hurd | Russell | Wiley |
| Comstock | Ingersoll | Seeley | Youngs |
| Costello | Kennedy | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The Senate sent for concurrence the bill entitled "An act for the relief of the Third Avenue Railroad Company, and to authorize the comptroller of the city of New York to pay the amount which may be found justly due to that company for services performed and material furnished in repairing certain streets in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Skinner offered, in connection with said bill, the following:

Resolved, That the committee on railroads be discharged from the further consideration of Assembly bill, introductory No. 1051, entitled "An act for the relief of the Third Avenue Railroad Company, and to authorize the comptroller of the city of New York to pay the amount which may be found justly due to that company for services performed and material furnished in repairing certain streets in said city," and that the same be referred to the committee on affairs of cities.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate sent for concurrence the bills entitled as follows:

"An act to extend the operation and effect of the act passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act for the protection of corporations organized for generating and distributing steam for heating and other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

"An act to amend chapter 27 of the Laws of 1875, entitled 'An act to designate the holidays to be observed in the acceptance and payment of bills of exchange, bank checks and promissory notes,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to establish a police department in the city of Buffalo, and to provide for the government thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The Senate returned Assembly bill entitled "An act to legalize and confirm the election of officers for the village of Macedon, in the county of Wayne," with a message that they have concurred in the passage of the same, with the following amendments:

Strike out all of section 1, and insert the following in lieu thereof:

Section 1. The election of the president, trustees and other officers of the village of Macedon, in the county of Wayne, on the 16th day of March, 1880, is hereby made as legal and valid as it would have been if the said election had been continued till sun set, as required by law; and the persons declared elected, at said election, are hereby confirmed in their respective offices as fully as though said election had been continued as requested by law. But nothing herein contained shall affect any suit or proceeding now pending.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|---------------|
| Baker, C. S. | Davis | Husted | Shanley |
| Beach | Deane | Ingersoll | Sheridan |
| Beates | Douglass | Kennedy | Sherman |
| Benedict, E. D. | Duell | Lefever | Sipp |
| Bradley | Duguid | Liddle | Sisson |
| Brennan | Ellis | McAvoy | Skinner |
| Bridges | Evans | McDonald | Slingerland |
| Brodsky | Ferris | Miller | Steele |
| Bullock | Fish | Mitchell | Strait |
| Carpenter, E. A. | Fitzgerald | Moers | Terpeny |
| Carpenter, I. S. | Gibbs | Morgan | Terry |
| Cass | Gillette | Newman | Travis |
| Catlin | Gorsline | Nowlan | Treanor |
| Chamberlain | Gray | O'Brien | Tully |
| Chase | Griggs | Parker | Tuttle, R. M. |
| Comstock | Gwinup | Pitcher | Warner |
| Costello | Hayes | Potter | Wells, J. L. |
| Craiser | Hoffman | Potts | Weston |
| Cullinan | Howland | Rhodes | Wiley |
| Curtis | Hurd | Russell | Wren |

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

Mr. Bradley offered for the consideration of the House the following privileged resolution:

Resolved, That when this House adjourns to-day, it be to meet on Monday evening next at eight o'clock.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. O. S. Baker, and by unanimous consent, the bill entitled "An act to provide for the relief of the city of Rochester and the New York Central and Hudson River Railroad Company," in said city, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|---------------|
| Alvord | Deane | Liddle | Sipp |
| Andrews | Douglass | McAvoy | Sisson |
| Baker, B. F. | Duell | McCarthy | Skinner |
| Baker, C. S. | Duguid | McDonald | Slingerland |
| Beach | Ellis | Miller | Steele |
| Beates | Evans | Mitchell | Strait |
| Bradley | Fish | Moore | Tallmadge |
| Brennan | Fitzgerald | Morgan | Terpeny |
| Bridges | Gillette | Newman | Terry |
| Brodsky | Gorsline | Nowlan | Treanor |
| Bullock | Gray | O'Brien | Tully |
| Carpenter, I. S. | Griggs | Parker | Tuttle, R. M. |
| Case | Gwinup | Pitcher | Varnum |
| Catlin | Hayes | Potter | Warner |
| Chase | Hoffman | Potts | Waterbury |
| Comstock | Howland | Rhodes | Wells, J. L. |
| Costello | Hurd | Roberts | Weston |
| Craiper | Husted | Sanders | Wiley |
| Cullinan | Ingersoll | Seeley | Wren |
| Curtis | Kennedy | Sherman | Youngs |
| Davis | Lefever | Shuit | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Husted, and by unanimous consent, the committee of the whole was discharged from the further consideration of Senate bill No. 152, entitled "An act to establish a State board of health," and said bill was ordered to a third reading.

The Speaker announced the special order of the day, being Senate bill entitled "An act further to regulate the admission to this State of fire insurance companies from other countries than the United States, and to prohibit the making and publishing of false statements and reports."

The House then resolved itself into a committee of the whole on the bill entitled as follows:

Senate bill entitled "An act further to regulate the admission to this State of fire insurance companies from other countries than the United States, and to prohibit the making and publishing of false statements and reports."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Potts, from said committee, reported in favor of the passage

of said bill with amendments, and have amended the title by inserting, after the word "fire," the words "or marine;" which report was agreed to, and the same ordered to a third reading.

Mr. Husted moved that said bill do now have its third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Deane | Liddle | Sherman |
| Andrews | Dougherty | Lindsey | Shuit |
| Baker, B. F. | Douglass | Low | Sipp |
| Beach | Duguid | McAvoy | Sisson |
| Beates | Ellis | McCarthy | Skinner |
| Benedict, E. D. | Evans | McDonald | Slingerland |
| Bennett | Ferris | McTernan | Steele |
| Bradley | Fish | Miller | Strait |
| Brennan | Fiske | Mitchell | Tallinadge |
| Bridges | Gibbs | Mooers | Terpeny |
| Brodsky | Gillette | Morgan | Thilemann |
| Carpenter, I. S. | Gorsline | Newman | Torney |
| Case | Gray | Nowlan | Tully |
| Catlin | Griggs | O'Brien | Tuttle, R. M. |
| Chase | Gwinup | O'Connor | Van Valkenburgh |
| Chickering | Hayes | Parker | Varnum |
| Clancy | Hoffman | Pitcher | Warner |
| Cohen | Howland | Potter | Wells, J. L. |
| Comstock | Husted | Potts | Weston |
| Costello | Ingersoll | Russell | Wiley |
| Cullinan | Kennedy | Seeley | Wren |
| Curtis | Lefever | Shanley | Youngs |
| Cushing | | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Fiske offered for the consideration of the House a resolution in words following :

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return of Assembly bill, not printed, entitled "An act to extend the time for the collection of taxes in the county of Richmond," for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Potts offered for the consideration of the House the following privileged resolution :

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor, requesting the return of Assembly bill, introductory No. 989, entitled "An act to extend the time for the collection of taxes in the town of Liberty, in Sullivan county," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Tallmadge moved that the bill entitled "An act to amend chapter 253 of the Laws of 1877, entitled 'An act to amend chapter 107 of the Laws of 1877, entitled 'An act in relation to the Superintendent of State Prisons, and for the more efficient and economical management of said prisons,' be made a special order for Tuesday afternoon, immediately after convening.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Pursuant to the 9th joint rule, Mr. Speaker announced the order of business, third reading of bills.

Senate bill entitled "An act to provide for the establishment and maintenance of a public market place for farmers and market gardeners, in the city of New York, for the acquisition of lands for this purpose, and for the regulation and management of the same," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{AYES 83}
{NOES 7}

Those who voted in the affirmative, were

| | | | |
|------------------|----------|-----------|-----------------|
| Alvord | Crapeer | Hurd | Shermar |
| Andrews | Cullinan | Husted | Sipp |
| Baker, B. J. | Curtis | Ingersoll | Sisson |
| Baker, C. S. | Davis | Kennedy | Skinner |
| Beach | Deane | Lefever | Slingerland |
| Beates | Douglass | Liddle | Steele |
| Bradley | Duell | Lindsay | Tallmadge |
| Brennan | Duguid | Low | Terpeny |
| Bridges | Ellis | McDonald | Terry |
| Brodney | Evans | Miller | Thilemann |
| Bullock | Ferris | Mitchell | Tormey |
| Carpenter, E. A. | Fish | Mooers | Travis |
| Carpenter, I. S. | Fiske | Morgan | Tuttle, R. M. |
| Case | Gillette | Nowlan | Van Valkenburgh |
| Catlin | Gorsline | O'Brien | Varnum |
| Chamberlain | Gray | Parker | Warner |
| Chase | Griggs | Pitcher | Wells, J. L. |
| Childs | Gwinup | Potter | Weston |
| Clark | Hayes | Potts | Wren |
| Comstock | Hoffman | Russell | Youngs |
| Costello | Howland | Sheridan | |

Those who voted in the negative, were

| | | | |
|-----------------|-----------|---------|-------|
| Benedict, T. E. | Dougherty | Newman | Tully |
| Cohen | Gibbs | Shanley | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to compel the maintenance of certain

lights on draw bridges across the Hudson river," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Curtis | Kennedy | Sipp |
| Andrews | Davis | Lefever | Sisson |
| Baker, B. F. | Deane | Liddle | Skinner |
| Baker, C. S. | Dougherty | Lindsay | Slingerland |
| Beach | Douglass | Low | Steele |
| Beates | Duell | McDonald | Strait |
| Benedict, E. D. | Duguid | Miller | Tallmadge |
| Benedict, T. E. | Ellis | Mitchell | Terpeny |
| Bradley | Evans | Moors | Terry |
| Brennan | Ferris | Morgan | Thilemann |
| Bridges | Fish | O'Brien | Travis |
| Brodsky | Gillette | Parker | Treanor |
| Bullock | Gorsline | Pitcher | Tully |
| Carpenter, E. A. | Gray | Potter | Tuttle, R. M. |
| Case | Griggs | Potts | Van Valkenburgh |
| Catlin | Gwinup | Rhodes | Warner |
| Chamberlain | Hoffman | Russell | Wells, J. L. |
| Chase | Howland | Shanley | Weston |
| Cohen | Husted | Sherman | Wiley |
| Comstock | Ingersoll | Shuit | Wren |
| Craeper | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was recommitted the bill introduced by Mr. Varnum (introductory No. 291), entitled "An act relating to fees, percentages and allowances of public officers, a burden upon and charge against the various cities of the State," reported back the same complete as ordered by the House, which report was agreed to and said bill ordered to a third reading.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was recommitted the bill introduced by Mr. Varnum (introductory No. 286), entitled "An act restricting and defining the powers of the board of estimate and apportionment in the city of New York, and regulating the expenditures by said board," reported back the same complete as ordered by the House, which report was agreed to and said bill ordered to a third reading.

The bill entitled "An act to grant relief to the sureties of trustees, committees or guardians, appointed by or accountable to the Supreme Court or to any county court of the State," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 71 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Curtis | Lefever | Sipp |
| Andrews | Cushing | Liddle | Sisson |
| Ash | Davis | Lindsay | Skinner |
| Baker, C. S. | Douglass | McDonald | Slingerland |
| Beach | Duell | Miller | Steele |
| Beates | Duguid | Mitchell | Strait |
| Benedict, E. D. | Ellis | Mooers | Tallmadge |
| Bradley | Evans | Morgan | Terpeny |
| Brennan | Ferris | Newman | Terry |
| Bridges | Fish | Nowlan | Travis |
| Brodaky | Gillette | O'Brien | Treanor |
| Bullock | Gorsline | O'Connor | Tully |
| Carpenter, E. A. | Gray | Parker | Tuttle, R. M. |
| Carpenter, I. S. | Griggs | Pitcher | Van Valkenburgh |
| Case | Gwinup | Potter | Varnum |
| Chamberlain | Hayes | Potts | Warner |
| Chase | Hoffman | Rhodes | Wells, J. L. |
| Clark | Howland | Roberts | Weston |
| Comstock | Husted | Russell | Wiley |
| Crapser | Ingersoll | Sherman | Wren |
| Cullinan | Kennedy | Shuit | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the improvement of the public squares, parks or places in the Fourth avenue between 67th and 96th streets in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Dougherty | Lindsay | Sipp |
| Andrews | Douglass | Low | Sisson |
| Baker, C. S. | Duell | McCarthy | Skinner |
| Beach | Ellis | McDonald | Slingerland |
| Beates | Evans | Miller | Steele |
| Benedict, E. D. | Ferris | Mitchell | Strait |
| Bridges | Fish | Mooers | Tallmadge |
| Brodaky | Gillette | Morgan | Terpeny |
| Bullock | Gorsline | Nowlan | Terry |
| Carpenter, I. S. | Gray | O'Brien | Titus |
| Case | Griggs | O'Connor | Travis |
| Cutlin | Gwinup | Parker | Treanor |
| Chamberlain | Havens | Phillips | Tully |
| Chase | Hayes | Pitcher | Tuttle, R. M. |
| Clark | Hoffman | Potts | Van Valkenburgh |
| Cohen | Howland | Rhodes | Varnum |
| Comstock | Hurd | Root | Warner |
| Crapser | Ingersoll | Russell | Wells, D. A. |
| Curtis | Kennedy | Sanders | Weston |
| Davis | Lefever | Shanley | Wren |
| Deane | Liddle | Sherman | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Davis | Lindsay | Sherman |
| Andrews | Deane | Low | Sipp |
| Beach | Dougherty | McCarthy | Sisson |
| Beates | Douglass | McDonald | Skinner |
| Benedict, E. D. | Duell | Mead | Slingerland |
| Bradley | Duguid | Miller | Steele |
| Brennan | Ellis | Mitchell | Strait |
| Bridges | Evans | Mooers | Tallmadge |
| Brodaky | Ferris | Morgan | Terpeny |
| Bullock | Fish | Newman | Terry |
| Carpenter, I. S. | Gillette | Nowlan | Titus |
| Case | Gorsline | O'Brien | Travis |
| Catlin | Gray | Parker | Treanor |
| Chamberlain | Griggs | Phillips | Tuttle, R. M. |
| Chase | Gwinup | Pitcher | Van Valkenburgh |
| Clancy | Havens | Potts | Varnum |
| Clark | Hayes | Rhodes | Warner |
| Cohenj | Hoffman | Root | Wells, D. A. |
| Comstock | Howland | Russell | Wells, J. L. |
| Crapser | Husted | Seeley | Weston |
| Cullinan | Kennedy | Shanley | Wren |
| Curtis | Lefever | Sheridan | Youngs |
| Cushing | Liddle | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Sisson, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill entitled "An act to amend and consolidate an act entitled 'An act to incorporate the village of Cambridge,'" passed April 16, 1866, and the several acts amending and supplementing the same," and said bill was ordered to a third reading.

The bill entitled "An act for grading and planing Delaware avenue, in the city of Albany, from the north line of Warren street to the division line between the city of Albany and the town of Bethlehem, and to provide for the payment of the same," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Cullinan | Kennedy | Sherman |
| Andrews | Curtis | Lefever | Sipp |
| Ash | Cushing | Low | Sisson |
| Baker, C. S. | Davis | McCarthy | Skinner |
| Beach | Deane | McDonald | Slingerland |
| Beates | Dougherty | Mead | Steele |
| Benedict, E. D. | Douglass | Miller | Tallmadge |
| Bradley | Duell | Mitchell | Terpeny |
| Brennan | Duguid | Mooers | Terry |
| Bridges | Ellis | Morgan | Titus |
| Brodsky | Evans | Nowlan | Travis |
| Bullock | Ferris | O'Brien | Treanor |
| Carpenter, I. S. | Fish | Parker | Tuttle, R. M. |
| Case | Gillette | Phillips | Van Valkenburgh |
| Catlin | Gorsline | Pitcher | Warner |
| Chamberlain | Griggs | Potts | Wells, D. A. |
| Childs | Gwinup | Rhodes | Wells, J. L. |
| Clancy | Hayes | Root | Weston |
| Clark | Hoffman | Russell | Wiley |
| Cohen | Howland | Seeley | Wren |
| Costello | Husted | Sheridan | Youngs |
| Crapeer | Ingersoll | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 369 of the Laws of 1868, entitled 'An act to amend the act incorporating the village of Phoenix, in the county of Oswego,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }
{ NOES .00 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|----------|-----------------|
| Alvord | Curtis | Lefever | Shuit |
| Andrews | Davis | Liddle | Sipp |
| Baker, B. F. | Douglass | Low | Sisson |
| Baker, C. S. | Duell | McCarthy | Skinner |
| Beach | Duguid | McDonald | Slingerland |
| Beates | Ellis | Mead | Steele |
| Benedict, E. D. | Evans | Miller | Strait |
| Bradley | Fish | Mitchell | Tallmadge |
| Brennan | Fiske | Mooers | Terpeny |
| Bridges | Gibbs | Morgan | Terry |
| Brodsky | Gillette | Nowlan | Travis |
| Bullock | Gorsline | O'Brien | Treanor |
| Carpenter, I. S. | Gray | O'Connor | Tully |
| Case | Griggs | Parker | Tuttle, R. M. |
| Catlin | Gwinup | Potter | Van Valkenburgh |
| Chamberlain | Hayes | Potts | Warner |
| Chase | Hoffman | Russell | Wells, J. L. |
| Chickering | Howland | Sanders | Weston |
| Clark | Husted | Seeley | Wiley |

Comstock
Crapser
Cullinan

Ingersoll
Kennedy

Sheridan
Sherman

Wren
Youngs

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate ~~sent~~ for concurrence the bills entitled as follows:

"An act to release to Mary E. Cockburn the interest of the people of the State of New York in certain real estate in Albany county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act regulating the disposition of convicts in the State prisons," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons.

A message from the Senate was received and read, informing of concurrence in the bill entitled as follows:

"An act supplemental to the Code of Civil Procedure."

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned Senate bill entitled "An act conferring jurisdiction on the Canal Appraisers to determine the amount of damages to which the Port Byron school district, in the town of Mentz, in the county of Cayuga, is entitled to, by reason of certain acts of this State," with a message that they have concurred in the amendments made therein in the Assembly.

Ordered, That the Clerk return said bill to the Senate.

Senate bill entitled "An act to amend chapter 902 of the Laws of 1869, entitled 'An act to amend an act entitled 'An act to authorize life insurance companies to make special deposits of securities in the Insurance Department, and to authorize the Superintendent of said Department to require special reports of such companies, passed April 24, 1867, and also to provide for the appointment of receivers of such depositing companies in certain cases,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 77 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|---------------|
| Alvord | Comstock | Ingersoll | Russell |
| Andrews | Costello | Kennedy | Sheridan |
| Baker, B. E. | Cullinan | Lefever | Sipp |
| Baker, C. S. | Deane | Liddle | Skinner |
| Beach | Dougherty | Lindsay | Slingerland |
| Benedict, E. D. | Duell | Low | Steele |
| Bradley | Duguid | McAvoy | Strait |
| Brennan | Ellis | McCarthy | Tallmadge |
| Bridges | Evans | Mead | Terpeny |
| Brodsky | Ferris | Miller | Thilemann |
| Bullock | Fish | Mitchell | Travis |
| Carpenter, E. A. | Gillette | Morgan | Treanor |
| Carpenter, I. S. | Gorsline | Nowlan | Tully |
| Case | Gray | O'Brien | Tuttle, R. M. |
| Chamberlain | Griggs | O'Connor | Warner |
| Chase | Hayes | Phillips | Wells, J. L. |
| Chickering | Hoffman | Potter | Weston |

Childs
Clark
Cohen

Howland
Husted

Potts
Rhodes

Wiley
Wren

Those who voted in the negative, were
Gwinup

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Alvord moved to lay said order of business on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Youngs (introductory No. 1086), entitled "An act to amend section 8, title 7, chapter 510 of the Laws of 1869," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was recommended the Senate bill (introductory No. 223) entitled "An act to establish a board of fire commissioners for the village of West Troy, in the county of Albany," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was referred the Senate bill (introductory No. 400) entitled "An act to amend chapter 90 of the Laws of 1865, entitled 'An act to amend and consolidate the several acts relating to the village of Ilion,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was referred the Senate bill (introductory No. 480) entitled "An act to amend chapter 264 of the Laws of 1851, entitled 'An act to amend the act entitled 'An act to incorporate the village of Bath, in the county of Steuben,'" reported in favor of the passage of the same.

On motion of Mr. Husted, and by unanimous consent, said bill was ordered to a third reading.

Mr. Sanders, from the committee on affairs of villages, to which was referred the Senate bill (introductory No. 550) entitled "An act to amend chapter 142 of the Laws of 1879, entitled 'An act to amend chapter 125 of the Laws of 1842, entitled 'An act to condense and amend the several acts relating to the village of Albion, and the several acts amendatory thereof,'" reported in favor of the passage of the same.

On motion of Mr. Phillips, and by unanimous consent, said bill was ordered to a third reading.

Mr. Sanders, from the committee on affairs of villages, to which was referred the Senate bill (introductory No. 531) entitled "An act further to amend chapter 449 of the Laws of 1853, entitled 'An act to amend the act incorporating the village of Attica, passed May 29, 1837, to alter the bonds and to enlarge the powers of the corporation of said village,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was

referred the Senate bill (introductory No. 484) entitled "An act to repeal chapter 281 of the Laws of 1876, entitled 'An act to amend an act entitled 'An act to provide for a supply of water in the village of Cohoes, and also section 2 of chapter 275 of the Laws of 1870, entitled 'An act to amend an act entitled 'An act to provide for a supply of water in the village of Cohoes,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Beates (introductory No. 646), entitled "An act to abolish the office of crier in the courts of record in the counties of Delaware and Sullivan," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Duell (introductory No. 1073), entitled "An act for the relief of Babette Stemmler," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Russell (introductory No. 1071), entitled "An act to release to the trustees of the Philadelphia Eye and Ear Infirmary any claim to the estate of Ann Margaret Shinn, deceased," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 212) entitled "An act making it a felony to steal, destroy or conceal a will, codicil, or other testamentary instrument," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 203) entitled "An act to repeal chapter 107 of the Laws of 1878, entitled 'An act requiring justices of the peace to give bonds,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 31) entitled "An act for the relief of John Waller," reported adversely thereto, which report was agreed to.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Youngs (introductory No. 1101), entitled "An act in relation to unpaid taxes and water assessments in Long Island City," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Privileges of the floor were granted to Hon. Mr. Miller, former member of this House.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Youngs (introductory No. 1108), entitled "An act in relation to the city government of Long Island City," reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 214), entitled "An act to authorize the sale of the stock held by the city of Rome in the Rome and Clinton Railroad Company, and to authorize the application of the proceeds to the payment of the bonds of said city issued in payment for said stock," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Skinner, from the committee on railroads, to which was referred the bill introduced by Mr. Liddle (introductory No. 1084), entitled "An act authorizing individual joint-stock associations, or corporations engaged in manufacturing, to lay down railroad tracks connecting their manufacturing establishments with existing railroads," reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Skinner, from the committee on railroads, to which was referred the bill introduced by Mr. Husted (introductory No. 1078), entitled "An act in relation to railroad corporations," reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Skinner, from the committee on railroads, to which was referred the bill introduced by Mr. E. A. Carpenter (introductory No. 1033), entitled "An act to amend 'An act to authorize the formation of railroad corporations and to regulate the same,'" passed April 2, 1850, reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Bradley, from the committee on State charitable institutions, to which was referred the bill introduced by Mr. Slingerland (introductory No. 1042), entitled "An act to create a board of charities for the city and county of Albany," reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Slingerland, and by unanimous consent, said bill was ordered engrossed and to a third reading.

Mr. Van Valkenburgh called from the table the report of the sub-committee of the whole in words following:

Report of the sub-committee of the whole.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 650, printed No. 566, entitled "An act to provide for the protection of mechanics and others," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 736, printed No. 636, entitled "An act to amend an act entitled 'An act to enable the electors of the town of Johnstown to vote by districts for town officers,' passed March twenty-first, eighteen hundred and sixty-two," reported in favor of the passage of the same, with amendments as follows:

Section one, line one, strike out the words "of the act" and insert "of chapter thirty-six of the Laws of eighteen hundred and sixty-two."

Also amend the title so that it will read:

"An act to amend chapter thirty-six of the Laws of eighteen hundred and sixty-two, entitled 'An act to enable the electors of the town of Johnstown to vote by districts for town officers.'"

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 223, printed No. 206, entitled "An act to amend an act entitled 'An act to revise and consolidate the general acts relating to public instruction,' passed May second, eighteen hundred and sixty-four," reported in favor of the passage of the same, with an amendment as follows:

To amend the title so that it will read:

"An act to amend chapter five hundred and fifty-five of the Laws of eighteen hundred and sixty-four, entitled 'An act to revise and consolidate the general acts relating to public instruction, and the acts amendatory thereof and supplementary thereto.'"

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 655, printed No. 571, entitled "An act to amend chapter five hundred and ten of the Laws of eighteen hundred and sixty-nine, entitled 'An act to amend an act entitled 'An act to incorporate the village of Flushing,' passed April fifteenth, eighteen hundred and thirty-seven, and the several acts amendatory thereof, passed March twentieth, eighteen hundred and fifty-seven,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 624, printed No. 548, entitled "An act to amend chapter sixteen of part one of the Revised Statutes in relation to highways and bridges," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 349, printed No. 323, entitled "An act to regulate the use of intoxicating liquors in poor-houses, juvenile reformatories, protectories, houses of refuge, jails, penitentiaries and prisons," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 576, printed No. 505, entitled "An act to legalize the official acts of Elihu W. Clarke, a justice of the peace of the town of Millford, in the county of Otsego," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 753, printed No. 647, entitled "An act to authorize and facilitate the construction and improvement of sidewalks in the streets of unincorporated villages, and the application of highway labor thereto," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 677, printed No. 592, entitled "An act to release the interest of the people of this State in certain real estate of which Paul Pontaw, late of the city of Brooklyn, county of Kings, died seized, to Nannette Johnson," reported in favor of the passage of the same, with amendments as follows:

To change the word "Pontaw" to "Pontau" wherever it occurs in the title and bill.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 442, printed No. 404, entitled "An act for the relief of W. H. Carver," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was

referred Assembly bill G. O. 867, not printed, entitled "An act to repeal chapter three hundred and six of the Laws of eighteen hundred and sixty-six, entitled 'An act for the protection of the planting of oysters in the towns of Huntington and Islip, in the county of Suffolk, New York,' and chapter six hundred and sixty-six of the Laws of eighteen hundred and seventy-two, amendatory thereof, so far as said act may be applicable to the present town of Huntington in said county," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 759, printed No. 245, entitled "An act to incorporate the 'Maenner Gesang Verein Eichenkranz,'" reported in favor of the passage of the same, without amendment.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Ordered, That said bills be engrossed for a third reading.

Mr. Ingersoll introduced a bill entitled "An act to incorporate the Grand Lodge Knights of Honor of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. E. D. Benedict introduced a bill entitled "An act for the better protection of manufacturing interests," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

Mr. Costello introduced a bill entitled "An act to amend 'An act to amend an act entitled 'An act to provide for the incorporation of life and health insurance companies, and in relation to agencies of such companies,'" passed June 24, 1853, passed April 24, 1866, which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. E. A. Carpenter introduced a bill entitled "An act to amend chapter 441 of the Laws of 1862, entitled 'An act to consolidate certain school districts within or adjoining the corporate limits of the village of Sag Harbor, Suffolk county, and to establish a union school therein,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

On motion of Mr. E. A. Carpenter, and by unanimous consent, said bill was ordered to a third reading.

Mr. Speaker introduced a bill entitled "An act to amend chapter 26 of the Laws of 1878, entitled 'An act authorizing the city of Kingston to issue bonds, for the purpose of creating a fund to pay the principal of the bonded indebtedness of said city, falling due in the years 1879, 1880, 1881 and 1882, and its proportion or quota of the bonded indebtedness of the county of Ulster, falling due in said years,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. C. S. Baker introduced a bill entitled "An act to further amend chapter 143 of the Laws of 1861, entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,'" which was read the first time, and by unanimous consent was

also read the second time, and referred to the committee on affairs of cities.

Mr. Alvord moved that this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Alvord moved a call of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Bradley offered for the consideration of the House a resolution in the words following:

Resolved, That the process of kiln-drying lumber, in the basement of this building, by and from which this committee and other rooms are filled with unpleasant and noxious odors, is to be deprecated.

Said resolution giving rise to debate,

Ordered, That the same be laid upon the table.

Mr. Tuttle offered for the consideration of the House a resolution in the words following:

Resolved, That Senate bill No. 207, general orders No. 699, entitled "An act to amend chapter 290 of the Laws of 1872, entitled 'An act to authorize the Blossburg Coal Company, the successors and assigns of the Bloss Coal Mining and Railroad Company, a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, to hold real estate for the purposes of business,'" be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. B. F. Baker offered for the consideration of the House a resolution in the words following:

Resolved, That Assembly bill No. 663, entitled "An act to facilitate the collection of judgments," be considered in the first committee of whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Husted offered for the consideration of the House a resolution in the words following:

Resolved, That Senate bill No. 121, entitled "An act for the removal of the reservoir situated in the city of New York, between 40th and 42d streets," be made a special order for Thursday next, at 11 o'clock, A. M.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Van Valkenburgh offered for the consideration of the House a resolution in the words following:

Resolved, That Senate bill No. 161, general orders No. 875, entitled "An act to amend chapter 290 of the Laws of 1879, entitled 'An act to amend chapter 149 of the Laws of 1874, entitled 'An act to amend an act, passed April 27, 1872, entitled 'An act to amend chapter 657 of the Laws of 1871, entitled 'An act to amend an act, passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed April 20, 1871, and to legalize the formation and acts of cer-

tain corporations formed according to the provisions of chapter 374 of the Laws of 1877;" be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

A message from the Senate was received and read, informing of concurrence in the following bills:

"An act to provide for the relief of the city of Rochester and the New York Central and Hudson River Railroad Company in said city."

"An act for the division of the town of Tompkins, in the county of Delaware, and for the erection of a new town from the western portion thereof."

"An act amending the Code of Civil Procedure."

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Chickering presented a protest against the passage of the Hepburn railroad bill, No. 22; which was read and referred to the committee on railroads.

Messrs. Chickering, Ellis, Ingersoll, Parker and Case presented petitions in favor of the passage of the Hepburn railroad bill, No. 22; which were read and referred to the committee on railroads.

Messrs. Baker, Fish, Parker, Bradley, Ingersoll and Wells presented petitions with reference to the excise laws and sale of intoxicating liquors; which were read and referred to the committee on internal affairs.

Messrs. Duguid, Alvord and Skinner presented petitions with reference to taxation of savings banks; which were read and referred to the special committee on taxation.

Messrs. Duguid and Wells presented petitions against taxation of church property; which were read and referred to the special committee on taxation.

Mr. Parker presented a petition in favor of the passage of Senate bill No. 328, in reference to fire insurance companies; which was read and referred to the committee on insurance.

Mr. — Wells presented a petition in favor of the passage of Assembly bill No. 366, for the better protection of seamen; which was read and referred to the committee on commerce and navigation.

Mr. Bradley presented a petition of the city court of Yonkers in favor of restoring to it its former powers; which was read and referred to the committee on the judiciary.

Mr. Travers presented a petition against the passage of Assembly bill No. 607, relating to certain assessments for local improvements in the city of New York; which was read and referred to the committee having the bill in charge.

Mr. Cohen offered for the consideration of the House a resolution in the words following:

Whereas, On the 15th day of April, 1880, through a combination formed by the gas companies in the city and county of New York, said combination, through unfair and extortionate means, advanced the prices of gas by a single stroke of the pen one hundred and twenty-five per cent; and

Whereas, But a slight advance has been made in the price of coal since the year 1878, and not sufficient to warrant any advance whatsoever in the price of gas; and

Whereas, Said advance is simply an extortion by those who have the legal power to consummate it, and who have combined together for that purpose, and thus secure themselves from competition; and

Whereas, No reason whatever for the change, and with the most sublime impudence, have simply issued a notice that "on and after the 15th day of April, 1880," their consumers will pay a price which to the leading consumers will be twice and a quarter the rate they paid the day before; therefore,

Resolved, That the committee on general laws be, and they are, hereby requested to draft and introduce at once an act which will authorize the city of New York to take at a fair valuation, to be assessed by disinterested commissioners, the pipes and other property of all the gas companies, to organize the manufacture as a part of the city works, and to furnish the people with the needed light at its proper and reasonable cost.

Said resolution giving rise to debate,

Ordered, That the same be laid upon the table.

Mr. McCarthy offered for the consideration of the House a resolution in the words following:

Resolved, That Assembly bill No. 511, general orders No. 586, entitled "An act in relation to the employment of convicts confined in the State prisons of this State," be made the special order of Tuesday, April 27, 1880, at 4 o'clock, P. M.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative.

Mr. Mitchell offered for the consideration of the House a resolution in the words following:

Resolved, That Assembly bill No. 536, general orders No. 609, entitled "An act in relation to the removal or suspension of attorneys and counselors at law," be considered in the next committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Alvord moved that this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Bennett offered for the consideration of the House a resolution in the words following:

Resolved, That Assembly bill No. 643, general orders No. 745, entitled "An act to amend chapter 32 of the Laws of 1873, entitled 'An act to regulate the pay of firemen in the city of New York,'" be considered in the next committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative.

Mr. Brodsky offered for the consideration of the House a resolution in the words following:

Resolved, That Assembly bill No. 440, general orders No. 486, entitled "An act for the relief of Isaac Piser," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Russell offered for the consideration of the House a resolution in the words following:

Resolved, That Senate bill No. 151, general orders No. 863, entitled "An act to provide for the creation of a board of charities and corrections of the county of Kings, and for the appointment of the com-

missioners thereof and their subordinates," be made a special order for Tuesday afternoon, April 27, 1880, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

{ AYES 55 }
{ NOES 23 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Andrews | Clark | Lefever | Sipp |
| Baker, B. F. | Comstock | Liddle | Skinner |
| Baker, O. S. | Cullinan | Lindsay | Slingerland |
| Beach | Deane | Low | Steele |
| Beates | Duell | Mead | Terry |
| Bradley | Duguid | Mitchell | Travis |
| Brennan | Evans | Mooers | Tuttle, R. M. |
| Bridges | Fish | Morgan | Van Valkenburgh |
| Brodsky | Gillette | Nowlan | Vernum |
| Bullock | Gray | O'Brien | Warner |
| Carpenter, E. A. | Hurd | Phillips | Wells, J. L. |
| Case | Husted | Pitcher | Wren |
| Chamberlain | Ingersoll | Potts | Young |
| Chickering | Kennedy | Russell | |

Those who voted in the negative, were

| | | | |
|-----------------|-----------|----------|-----------|
| Alvord | Dougherty | McDonald | Tallmadge |
| Benedict, E. D. | Gibbs | McTernan | Thilemann |
| Benedict, T. E. | Hagan | Newman | Tormey |
| Catlin | Hoffman | Parker | Treanor |
| Clancy | McAvoy | Rhodes | Walsh |
| Cohen | McCarthy | Shanley | |

On motion of Mr. Alvord, and at 1 o'clock and 10 minutes, the House adjourned.

MONDAY EVENING, APRIL 26, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Selkreg.

The journal of Friday was read and approved.

Mr. Travis offered for the consideration of the House a privileged resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor, requesting the return of Assembly bill No. 54, entitled "An act to amend an act entitled 'An act to incorporate the public exchange, passed April 22, 1868,' for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Indefinite leave of absence was granted to Mr. Crapser.

By unanimous consent,

Mr. Brennan offered for the consideration of the House a resolution in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of Assembly bill No. 678, general orders No. 799, entitled "An act to amend an act entitled 'An act to incorporate the Chateaugay Water Works Company,'" passed May 5, 1868, and that said bill be ordered engrossed for a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. C. S. Baker offered for the consideration of the House a resolution in the words following:

Resolved, That the Superintendent of the Insurance Department be, and he is hereby, requested to furnish to this House, within twenty-four hours, copies of any and all correspondence had between him and any and every life insurance company organized under the laws of, or doing business in, this State, which may have reference to any examination of the assets of any such company, since the date of the nomination or confirmation of his successor, Mr. Fairman.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The bill entitled "An act to amend chapter 360 of the Laws of 1867, entitled 'An act to amend and consolidate the several acts in relation to the village of Rhinebeck,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Curtis | McCabe | Sipp |
| Baker, B. F. | Deane | Miller | Skinnaer |
| Baker, C. S. | Dougherty | Mooers | Slingerland |
| Beach | Douglass | Morgan | Steele |
| Beates | Duguid | Newman | Strait |
| Bennett | Ellis | Nowlan | Tallmadge |
| Brennan | Evans | Parker | Terpeny |
| Bridges | Ferris | Peck | Terry |
| Bredaky | Fish | Phillips | Travis |
| Bullock | Fiske | Pitcher | Treanor |
| Carpenter, I. S. | Gibbs | Potter | Tully |
| Case | Gray | Potts | Tuthill, H. H. |
| Catlin | Griggs | Root | Tuttle, R. M. |
| Chamberlain | Havens | Russell | Van Valkenburgh |
| Chickering | Howland | Sanders | Varnum |
| Childs | Hurd | Seeley | Walsh |
| Clark | Husted | Shanley | Waterbury |
| Olowes | Lefeyer | Sheridan | Wells, J. L. |
| Congdon | Lindsay | Sherman | Wren |
| Cookinham | Low | Shuit | Mr. Speaker |
| Oullinan | McAvoy | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to further amend chapter 361 of the Laws of 1867, entitled 'An act authorizing supplementary proceedings for

the collection of taxes,' as amended by chapter 446 of the Laws of 1879, and supplemental thereto," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Congdon | Liddle | Shanley |
| Baker, B. F. | Cookinham | Lindsay | Sheridan |
| Baker, C. S. | Cullinan | Low | Shuit |
| Beach | Curtis | McAvoy | Sipp |
| Beates | Deane | McCabe | Skinner |
| Benedict, E. D. | Dougherty | Miller | Slingerland. |
| Benedict, T. E. | Douglass | Mooers | Steele |
| Bennett | Duguid | Morgan | Strait |
| Brennan | Ellis | Newman | Tallmadge |
| Bridges | Ferris | Nowlan | Terpeny |
| Brodskey | Fiske | Parker | Terry |
| Bullock | Gillette | Peck | Travis |
| Carpenter, I. S. | Gray | Phillips | Treanor |
| Case | Griggs | Pitcher | Tuthill, H. H. |
| Catlin | Havens | Potter | Tuttle, R. M. |
| Chamberlain | Hayes | Potts | Van Valkenburgh |
| Chase | Howland | Root | Walsh |
| Chickering | Hurd | Russell | Waterbury |
| Childs | Husted | Sanders | Wells, J. L. |
| Clark | Lefever | Seeley | Wren |
| Clowes | | | |

Those who voted in the negative, were

Fish

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 463 of the Laws of 1853, entitled 'An act to provide for the incorporation of life and health insurance companies, and in relation to agencies of such companies,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 77 }
{ NOES 5 }

Those who voted in the affirmative, were

| | | | |
|-----------------|----------|---------|-------------|
| Alvord | Cullinan | Liddle | Sheridan |
| Baker, B. F. | Curtis | Lindsay | Sherman |
| Baker, C. S. | Deane | Low | Shuit |
| Beach | Douglass | McAvoy | Sipp |
| Beates | Duguid | McCabe | Skinner |
| Benedict, E. D. | Ellis | Miller | Slingerland |
| Brennan | Evans | Mooers | Steele |
| Bridges | Ferris | Morgan | Strait |

| | | | |
|------------------|----------|----------|-----------------|
| Brodsky | Fish | Newman | Tallmadge |
| Bullock | Fiske | Nowlan | Terpeny |
| Carpenter, I. S. | Gillette | Peck | Terry |
| Case | Gray | Phillips | Travis |
| Catlin | Griggs | Pitcher | Treanor |
| Chamberlain | Hagan | Potter | Tuthill, H. H. |
| Chickering | Hayes | Potts | Tuttle, R. M. |
| Childs | Howland | Root | Van Valkenburgh |
| Clark | Hurd | Russell | Waterbury |
| Clowes | Husted | Sanders | Wells, J. L. |
| Congdon | Lefever | Seeley | Youngs |
| Cookinham | | | |

Those who voted in the negative, were

| | | | |
|-----------------|--------|-------|-------|
| Benedict, T. E. | Parker | Tully | Walsh |
| Havens | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the relief of Theodore P. Ballou," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 76 }
{ NOES 3 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Cullinan | Lindsay | Sherman |
| Baker, B. F. | Curtis | Low | Shuit |
| Baker, C. S. | Deane | McCabe | Sipp |
| Beach | Dougherty | Miller | Slingerland |
| Beates | Douglass | Moore | Steele |
| Benedict, E. D. | Duguid | Morgan | Strait |
| Benedict, T. E. | Evans | Newman | Tallmadge |
| Bridges | Ferris | Nowlan | Terpeny |
| Brodsky | Fish | Parker | Terry |
| Carpenter, I. S. | Fiske | Peck | Thilemann |
| Case | Gillette | Phillips | Travis |
| Catlin | Gray | Pitcher | Tuthill, H. H. |
| Chamberlain | Hagan | Potts | Tuttle, R. M. |
| Chase | Hayes | Root | Van Valkenburgh |
| Chickering | Howland | Russell | Walsh |
| Childs | Hurd | Sanders | Waterbury |
| Clark | Husted | Seeley | Wells, J. L. |
| Clowes | Lefever | Shanley | Wren |
| Congdon | Liddle | Sheridan | Youngs |

Those who voted in the negative, were

| | | |
|-------|--------|---------|
| Ellis | Potter | Skinner |
|-------|--------|---------|

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the duties of supervisor for the town of Saratoga Springs," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Cullinan | Liddle | Shanley |
| Baker, B. F. | Curtis | Lindsay | Sheridan |
| Baker, C. S. | Deane | Low | Sherman |
| Beach | Dougherty | McAvoy | Shuit |
| Beates | Douglass | McCabe | Sipp |
| Benedict, T. E. | Duguid | Miller | Skinner |
| Brennan | Ellis | Moors | Strait |
| Bridges | Evans | Morgan | Tallmadge |
| Brodsky | Ferris | Newman | Terpeny |
| Bullock | Fish | Nowlan | Terry |
| Carpenter, I. S. | Fiske | Parker | Thilemann |
| Case | Gray | Peck | Travis |
| Catlin | Griggs | Phillips | Treanor |
| Chase | Gwinup | Pitcher | Tuthill, H. H. |
| Chickering | Havens | Potter | Tuttle, R. M. |
| Childs | Hayes | Potts | Van Valkenburgh |
| Clark | Howland | Root | Waterbury |
| Clowes | Hurd | Russell | Wells, J. L. |
| Congdon | Husted | Sanders | Wren |
| Cookinham | Lefever | Seeley | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Alvord in the chair.

The bill entitled "An act to amend chapter 817 of the Laws of 1873, entitled "An act to provide for the support of the poor in the county of Jefferson, and to legalize the action of the legal voters of the town of Henderson in the election of an overseer of the poor," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Cookinham | Husted | Sanders |
| Baker, B. F. | Cullinan | Lefever | Shanley |
| Baker, C. S. | Curtis | Liddle | Sheridan |
| Beach | Deane | Lindsay | Shuit |
| Beates | Dougherty | Low | Sipp |
| Benedict, E. D. | Douglass | McAvoy | Skinner |
| Benedict, T. E. | Duguid | McCabe | Steele |
| Bennett | Ellis | Miller | Strait |
| Brennan | Evans | Morgan | Tallmadge |
| Bridges | Ferris | Newman | Terpeny |
| Brodsky | Fish | Nowlan | Terry |
| Bullock | Fiske | Parker | Travis |
| Carpenter, I. S. | Gillette | Peck | Treanor |
| Catlin | Gray | Phillips | Tuthill, H. H. |
| Chamberlain | Griggs | Pitcher | Tuttle, R. M. |
| Chickering | Gwinup | Potter | Van Valkenburgh |
| Childs | Havens | Potts | Waterbury |

Clark
Clowes
Congdon

Hayes
Howland
Hurd

Root
Russell

Wells, J. L.
Youngs

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to companies insuring steam boilers," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Cookinham | Lefever | Shanley |
| Baker, B. F. | Cullinan | Liddle | Sheridan |
| Baker, C. S. | Curtis | Lindsay | Sherman |
| Beach | Deane | Low | Shuit |
| Beates | Dougherty | McAvoy | Sipp |
| Benedict, E. D. | Douglass | McCabe | Skinner |
| Benedict, T. E. | Duguid | Miller | Slingerland |
| Brennan | Ellis | Mooers | Strait |
| Bridges | Evans | Morgan | Tallmadge |
| Brodsky | Ferris | Newman | Terpeny |
| Bullock | Fish | Nowlan | Terry |
| Carpenter, I. S. | Fiske | Parker | Thilemann |
| Case | Gray | Peck | Travis |
| Catlin | Griggs | Phillips | Treanor |
| Chamberlain | Gwinup | Pitcher | Tuthill, H. H. |
| Chase | Hagan | Potter | Tuttle, R. M. |
| Chickering | Havens | Potts | Van Valkenburgh |
| Childs | Hayes | Root | Waterbury |
| Clark | Howland | Russell | Wells, J. L. |
| Clowes | Hurd | Sanders | Wren |
| Congdon | Husted | Seeley | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 272 of the Laws of 1837, entitled 'An act to incorporate the Society for the relief of Half Orphan and Destitute Children in the City of New York,'" which was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, three-fifths of all the members elected to the Assembly not voting in favor thereof.

{ AYES 69 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|---------|-----------|
| Alvord | Cullinan | Lindsay | Sheridan |
| Baker, B. F. | Curtis | McAvoy | Sherman |
| Baker, C. S. | Deane | Miller | Shuit |
| Beach | Dougherty | Mooers | Skinner |
| Beates | Douglass | Morgan | Steele |
| Benedict, E. D. | Duguid | Newman | Strait |
| Benedict, T. E. | Ellis | Nowlan | Tallmadge |
| Bridges | Evans | Parker | Terpeny |

| | | | |
|------------------|----------|---------|-----------------|
| Brodsky | Ferris | Peck | Terry |
| Bullock | Fish | Pitcher | Thilemann |
| Carpenter, I. S. | Fiske | Potter | Travis |
| Case | Gillette | Potts | Treanor |
| Catlin | Gray | Root | Tuthill, H. H. |
| Chamberlain | Havens | Russell | Tuttle, R. M. |
| Chase | Howland | Sanders | Van Valkenburgh |
| Chickering | Husted | Seeley | Waterbury |
| Childs | Lefever | Shanley | Wren |
| Clark | | | |

Mr. Brodsky moved to reconsider the vote by which said bill was lost, and that the motion do lay upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Senate bill entitled "An act in relation to the port and harbor of New York, and the waters near the same," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, three-fifths of all the members elected to the Assembly not voting in favor thereof.

{ AYES 74 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Deane | McCabe | Skinner |
| Baker, B. F. | Dougherty | Miller | Slingerland |
| Baker, C. S. | Douglass | Mooers | Strait |
| Beach | Duell | Newman | Tallmadge |
| Beates | Duguid | Nowlan | Terpeny |
| Benedict, E. D. | Ellis | Parker | Terry |
| Brennan | Evans | Pitcher | Thilemann |
| Bridges | Ferris | Potter | Travis |
| Brodsky | Fish | Potts | Treanor |
| Bullock | Fiske | Root | Tully |
| Carpenter, I. S. | Gillette | Russell | Tuthill, H. H. |
| Case | Gray | Sanders | Tuttle, R. M. |
| Chamberlain | Griggs | Seeley | Van Valkenburgh |
| Chickering | Havens | Shanley | Varnum |
| Clark | Howland | Sheridan | Waterbury |
| Clowes | Lefever | Sherman | Wells, J. L. |
| Congdon | Lindsay | Shuit | Wren |
| Cullinan | Low | Sipp | Youngs |
| Curtis | McAvoy | | |

Mr. Brodsky moved to reconsider the vote by which said bill was lost, and that the motion do lay upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill entitled "An act for the better security of the bonds of public officers and others," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }
{ NOES 5 }

Those who voted in the affirmative, were

| | | | |
|--------------|--------|--------|---------|
| Alvord | Curtis | Low | Sherman |
| Baker, B. F. | Deane | McAvoy | Shuit |

| | | | |
|------------------|-----------|----------|-----------------|
| Baker, C. S. | Dougherty | McCabe | Sipp |
| Beach | Douglass | Miller | Skinner |
| Beates | Duguid | Mooers | Slingerland |
| Benedict, E. D. | Ellis | Morgan | Steele |
| Brennan | Evans | Newman | Strait |
| Bridges | Ferris | Nowlan | Tallmadge |
| Brodsky | Fish | Parker | Terpeny |
| Bullock | Fiske | Peck | Terry |
| Carpenter, I. S. | Gillette | Phillips | Thilemann |
| Case | Gray | Pitcher | Tuthill, H. H. |
| Chamberlain | Griggs | Potter | Tuttle, R. M. |
| Chickering | Hagan | Potts | Van Valkenburgh |
| Childs | Hayes | Root | Varnum |
| Clark | Howland | Russell | Waterbury |
| Clowes | Hurd | Sanders | Wells, J. L. |
| Congdon | Lefever | Seeley | Wren |
| Cookinham | Liddle | Shanley | Youngs |
| Cullinan | Lindsay | Sheridan | |

Those who voted in the negative, were

| | | | |
|-----------------|--------|--------|-------|
| Benedict, T. E. | Havens | Travis | Walsh |
| Gwinup | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to amend chapter 1873 of the Laws of 1866, entitled "An act to amend and reduce to one act the several acts relating to buildings, and the keeping and storage of combustible materials in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 67 }
{ NOES 11 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Clowes | Gwinup | Russell |
| Andrews | Congdon | Hayes | Sanders |
| Baker, B. F. | Cookinham | Hurd | Seeley |
| Baker, C. S. | Cullinan | Lefever | Sherman |
| Beach | Curtis | Liddle | Sipp |
| Beates | Deane | Low | Skinner |
| Benedict, T. E. | Dougherty | McCabe | Tallmadge |
| Bridges | Douglass | Miller | Terpeny |
| Brodsky | Duguid | Mooers | Travis |
| Bullock | Ellis | Morgan | Tuthill, H. H. |
| Carpenter, I. S. | Evans | Newman | Tuttle, R. M. |
| Case | Ferris | Nowlan | Van Valkenburgh |
| Oatlin | Fish | Parker | Varnum |
| Chamberlain | Fiske | Phillips | Wells, J. L. |
| Chickering | Gillette | Potter | Wren |
| Childs | Gray | Potts | Youngs |
| Clark | Griggs | Root | |

Those who voted in the negative, were

| | | | |
|-----------------|---------|-------------|-----------|
| Benedict, E. D. | Peck | Shuit | Thilemann |
| Hagan | Pitcher | Slingerland | Walsh |
| Howland | Shanley | Strait | |

Ordered, That the Clerk return said bill to the Senate, with a mess-

age informing that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution in the words following :

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill No. 223, entitled "An act to amend chapter 391 of the Laws of 1878, entitled 'An act authorizing the city of Binghamton to use a portion of the Chenango canal for a public street,'" for amendment.

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein.

The Senate sent for concurrence the bill entitled "An act to protect the rights of policy-holders in life insurance companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

The Senate returned Assembly bill entitled "An act to legalize the official acts of Daniel F. St. John, a justice of the peace of the town of Clarendon, in the county of Orleans," with a message that they have concurred in the passage of the same with the following amendments :

Section 1, line 12, strike out the word "all;" same line, after the word "the" insert the word "same;" same section, line 13, strike out the word "as" and insert the words "That it would have had."

Section 2, line 1, after the word "act" insert the word "contained."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Cookinham | Lefever | Sherman |
| Andrews | Cullinan | Liddle | Shuit |
| Baker, B. F. | Curtis | Lindsay | Sipp |
| Baker, C. S. | Deane | McAvoy | Skinner |
| Beach | Dougherty | McCabe | Slingerland |
| Beates | Douglass | Miller | Strait |
| Benedict, E. D. | Duguid | Moore | Tallmadge |
| Benedict, T. E. | Ellis | Newman | Terpeny |
| Bennett | Evans | Parker | Thilemann |
| Brennan | Fish | Peck | Travis |
| Bridges | Fiske | Phillips | Treanor |
| Brodsky | Gillette | Pitcher | Tuthill, H. H. |
| Bullock | Gray | Potter | Tuttle, R. M. |
| Carpenter, I. S. | Griggs | Potts | Van Valkenburgh |
| Case | Gwinup | Roberts | Varnum |
| Catlin | Hayes | Root | Walsh |
| Chickering | Howland | Russell | Wells, J. L. |
| Childs | Hurd | Seeley | Wren |
| Clark | Husted | Shanley | Youngs |
| Congdon | | | |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act to provide for

the construction of fishways in the State dams across the Oswego, Oneida and Seneca rivers," with a message that they have concurred in the passage of the same with the following amendments:

In section 2, line 1, strike out the word "seven" and insert "five."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Comstock | Hurd | Sheridan |
| Andrews | Congdon | Husted | Sherman |
| Baker, B. F. | Cookinham | Lefever | Shuit |
| Baker, C. S. | Cullinan | Liddle | Sipp |
| Beach | Curtis | Lindsay | Skinner |
| Beates | Deane | McAvoy | Slingerland |
| Benedict, E. D. | Dougherty | McCabe | Strait |
| Benedict, T. E. | Douglass | Miller | Tallmadge |
| Bennett | Duguid | Mooers | Terpeny |
| Brennan | Ellis | Morgan | Thilemann |
| Bridges | Evans | Newman | Travis |
| Brodsky | Ferris | Nowlan | Treanor |
| Bullock | Fish | Parker | Tuthill, H. H. |
| Carpenter, I. S. | Fiske | Phillips | Tuttle, R. M. |
| Case | Gillette | Potter | Van Valkenburgh |
| Catlin | Gray | Potts | Varnum |
| Chamberlain | Griggs | Root | Waterbury |
| Chickering | Gwinup | Russell | Wells, J. L. |
| Childs | Hayes | Shanley | Wren |
| Clowes | Howland | | |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act conferring additional powers upon the board of supervisors of the county of Franklin," with a message that the vote on the final passage of said bill was reconsidered, and said bill, as amended in Assembly, passed with the following additional amendments:

Section 1, line 4, printed bill, after the word "county" insert the following: "Such highway district to be established only upon the application of the owners of more than one-half of the non-resident lands to be included therein."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|--------------|-----------|---------|----------|
| Alvord | Cullinan | Lefever | Shanley |
| Andrews | Curtis | Liddle | Sheridan |
| Baker, B. F. | Deane | Lindsay | Sherman |
| Baker, C. S. | Dougherty | McAvoy | Shuit |
| Beach | Douglass | McCabe | Sipp |
| Beates | Duguid | Miller | Skinner |

| | | | |
|------------------|----------|----------|-----------------|
| Benedict, E. D. | Ellis | Moors | Slingerland |
| Benedict, T. E. | Evans | Morgan | Steele |
| Bennett | Ferris | Nowlan | Tallmadge |
| Brennan | Fish | Parker | Terpeny |
| Bridges | Fiske | Peck | Travis |
| Brodsky | Gorsline | Phillips | Treanor |
| Bullock | Gray | Pitcher | Tuthill, H. H. |
| Carpenter, I. S. | Griggs | Potter | Tuttle, R. M. |
| Case | Gwinup | Potts | Van Valkenburgh |
| Catlin | Havens | Root | Waterbury |
| Chamberlain | Hayes | Russell | Wells, J. L. |
| Chickering | Howland | Sanders | Wren |
| Childs | Husted | Seeley | Youngs |
| Clowes | | | |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act to amend chapter 365 of the Laws of 1865, entitled 'An act to incorporate the city of Lockport,' and the acts amendatory thereof," with a message that they have concurred in the passage of the same with the following amendments:

Section 1, line 11, after the word "city" strike out the balance of the section.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|---------|-----------------|
| Alvord | Cookinham | Lefever | Sherman |
| Andrews | Cullinan | Liddle | Shuit |
| Baker, B. F. | Curtis | Lindsay | Sipp |
| Baker, C. S. | Deane | McAvoy | Skinner |
| Beach | Dougherty | McCabe | Slingerland |
| Beates | Douglass | Miller | Steele |
| Benedict, E. D. | Duguid | Moors | Strait |
| Benedict, T. E. | Ellis | Morgan | Tallmadge |
| Bennett | Evans | Newman | Terpeny |
| Brennan | Ferris | Nowlan | Thilemann |
| Bridges | Fish | Parker | Travis |
| Brodsky | Gillette | Peck | Treanor |
| Bullock | Gray | Pitcher | Tuthill, H. H. |
| Carpenter, I. S. | Griggs | Potter | Tuttle, R. M. |
| Case | Gwinup | Potts | Van Valkenburgh |
| Catlin | Havens | Root | Varnum |
| Chamberlain | Hayes | Russell | Waterbury |
| Chickering | Howland | Sanders | Wells, J. L. |
| Childs | Hurd | Seeley | Wren |
| Clowes | Husted | Shanley | Youngs |
| Congdon | | | |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act to amend chapter 80 of the Laws of 1870, entitled 'An act to provide for the enrollment of the militia for the organization of the

National Guard of the State of New York, and for the public defense, and entitled 'the Military Code.'"

The bill entitled "An act to amend chapter 80 of the Laws of 1870, entitled "An act to provide for the enrollment of the militia for the organization of the National Guard of the State of New York, and for the public defense, and entitled 'the Military Code,'" being announced for a third reading,

Mr. Brennan moved to recommit said bill to the committee on militia with instructions to amend said bill so that it will read as follows, and report forthwith:

"An act to amend chapter 80 of the Laws of 1870, entitled 'An act to provide for the enrollment of the militia for the organization of the National Guard of the State of New York, and for the public defense, and entitled 'The Military Code.'"

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 8 of chapter 80 of the Laws of 1870, entitled "An act to provide for the enrollment of the militia, for the organization of the National Guard of the State of New York, and for the public defense, and entitled 'The Military Code,'" is hereby amended so as to read as follows:

§ 8. The National Guard of the State of New York shall consist of the present uniformed militia, and such volunteers as shall enroll themselves or enlist therein, and shall be organized in such number of divisions, brigades, regiments, battalions, troops, batteries and companies, and of such arms of the service as the commander-in-chief may determine and designate. The present divisions, brigades, regiments, battalions, troops, batteries and companies shall remain as now established, subject, however, to the power of the commander-in-chief to alter, divide, consolidate, transfer or disband the same; provided that the aggregate force of the same, in time of peace, fully armed, uniformed and equipped, shall not exceed the number of 20,000, non-commissioned officers, musicians (exclusive of musicians organized into bands not enlisted) and privates; but the commander-in-chief shall have power, in case of war, insurrection or invasion, or imminent danger thereof, to increase the force beyond the said 20,000, and organize the same as the exigencies of the service may require.

§ 2. Section 13 of said act is hereby amended so as to read as follows:

§ 13. Volunteers may be received and enlisted in any troop, battery, or company; and they shall be enlisted in the first instance for a term of five years, and, on the expiration of that term, they may be re-enlisted, either immediately or at any time thereafter, for terms of one or more years, at the option of the volunteer; and the same privileges of re-enlistment shall be accorded to all persons who have been honorably discharged from the army or navy or volunteer force of the United States; but no person above the age of forty-five years shall be enlisted; and no person under the age of twenty-one years shall be enlisted without the consent of his parent or guardian; and no non-commissioned officer, musician or private shall leave one troop, battery or company, to join another, except as hereinafter provided, provided, however, that non-commissioned officers, musicians and privates who have changed their residence from one division district

to another division district may enlist in a troop, battery or company of the division district into which they have removed, and in that case they shall be dropped from the rolls of the troop, battery or company in which they were serving, and a certificate of their time of service therein shall be furnished to them; and, in case of re-enlistments, the whole time of service in both troops, batteries or companies shall be computed and allowed in determining the question of discharge after five years' service. On their own application enlisted men (non-commissioned officers being first reduced to the ranks) may be transferred from one company to another in the same regiment or battalion by the commanding officer of the regiment or battalion, and from one troop, battery or separate company to another, or to any other organization of any regiment or battalion by the commanding officer of the division or brigade to which such troop, battery or separate company is attached. If the transfer be from one regiment or battalion to another in the same brigade, it must be ordered by the commanding officer of the brigade. If from brigade to brigade, in the same division, by the commanding officer of the division. If from division to division, by the commander-in-chief. In cities or villages, where there are no regimental or battalion organizations of infantry, separate companies of that arm of the service may be organized, to be attached to brigades or divisions; and all the provisions of the Military Code relating to separate troops or batteries shall apply to such separate companies of infantry, except as herein otherwise provided.

§ 3. Section 67 of said act is hereby amended so as to read as follows:

§ 67. Sergeant-majors, quartermaster-sergeants, commissary-sergeants, ordnance-sergeants, hospital stewards, drum-majors, band-leaders, sergoant standard bearers and general guides shall be appointed by the commanding officer of the regiment or battalion to which they belong, by warrant under the hand of such commanding officer, and shall hold their offices during his pleasure; provided, however, that before such appointment they shall have been duly enlisted in the National Guard of this State, and each person so appointed shall be a member of some company of the regiment or battalion at the time of his appointment, excepting in the case of hospital stewards, drum-majors and band leaders, who may be civilians, but who, during the term of their appointment, shall be subject to the laws governing the National Guard.

§ 4. Section 68 of said act is hereby amended so as to read as as follows:

§ 68. Except as otherwise provided in this act, captains, lieutenants and non-commissioned officers of troops, batteries and companies, shall be chosen by the written or printed votes of the members of troops, batteries or companies respectively; provided that quartermaster-sergeants of such troops, batteries and companies shall, subject to the provisions of section 92 of this act, be appointed by the commandants of such troops, batteries and companies respectively. Field officers of regiments or battalions by the written or printed votes of the field officers and the commissioned troop, battery or company officers of their respective regiments or battalions; and brigadier-generals by the written or printed votes of the field officers and the com-

mandants of the separate troops, batteries or companies of infantry of their respective brigades.

§ 5. Section 92 of said act is hereby amended so as to read as follows :

§ 92. Such election for non-commissioned officers shall be directed and conducted by the commanding officer of such troop, battery or company for the time being, who shall certify the names of the persons elected, and also of those appointed by him, to the commanding officer of the regiment or battalion to which the troop, battery or company belongs ; or in the case of a separate troop, battery or company, to the commandant of the division or brigade to which such separate troop, battery or company is attached, and such regimental or battalion commanding officer, or division or brigade commandant, as the case may be, shall decide upon the legality of the election, and shall issue warrants to the persons duly elected or appointed. But before issuing such warrants, the commandant of the regiment or battalion to which the troop, battery or company belongs ; or in the case of a separate troop, battery or company, the commandant of the brigade or division to which it is attached, shall require the persons so elected or appointed to be examined with respect to their qualifications and fitness to fill the offices to which they have been so elected or appointed, by a board of examiners consisting of three commissioned officers, to be appointed by the commandant of the regiment, battalion, brigade or division, as the case may be, respectively ; and if, on the report of such board of examiners, the commandant of the regiment, battalion, brigade or division, as the case may be, shall adjudge the person so elected or appointed unqualified for the office, another person shall, within ten days after due notice of such adverse decision, be elected or appointed ; and in default of such election, the vacancy shall be filled by the commandant of the regiment, battalion, brigade or division, as the case may be.

§ 6. Section 106 of said act is hereby amended so as to read as follows :

§ 106. The commanding officer of each regiment or battalion may, in his discretion, enlist a band of musicians not exceeding twenty-five in number, and by warrant, under his hand, may appoint a leader of such band, with the rank of sergeant.

§ 7. Section 107 of said act is hereby amended so as to read as follows :

§ 107. Such musicians shall be subject to the orders of such leader, and be under the command of the commanding officer of the regiment or battalion ; and the whole or any part of said band may be required by such commanding officer to appear at any meeting of the officers for military purposes, or at any parade of such regiment or battalion.

§ 8. Section 121 of said act is hereby amended so as to read as follows :

§ 121. The expense of renting or erecting such armories and for providing the necessary camp stools, apparatus and fixtures for heating and lighting, and the fuel and gas or oil for the same, and water-closets in such building, and for properly preserving from injury the arms, equipments, uniforms and records stored therein, by the construction of suitable lockers, closets, gun racks and cases for uniforms, equipments, arms and records, and for the maintenance thereof in good and safe repair, shall be a portion of the county charges of

such county, and shall be levied, collected and paid in the same manner as other county charges are levied, collected and paid. But no moneys shall be appropriated, or expenses incurred for furnishing or decorating any building erected or rented under the provisions of this act. And no moneys shall be appropriated or expenses incurred, to be paid out of moneys thus levied and collected, except for the erecting or renting of such armories, unless the necessity of such expenditure shall have been examined into by the auditing boards of the commands, and certified to as necessary by the respective presidents thereof, who shall report to the Adjutant-General annually in December, on or before the fifteenth day thereof, a recapitulation of the expenses thus incurred.

§ 9. Section 130 of said act is hereby amended so as to read as follows:

§ 130. An annual muster of all general and staff officers, and of all organizations of the National Guard, shall be made at such time and place between the first day of May and the first day of November as the commander-in-chief shall order and direct. No person shall be mustered at the annual muster, or be permitted in the ranks on any parade or drill required by this act, who does not appear uniformed, armed and equipped suitably to the troop, battery or company to which he belongs, and according to the provisions of this act; and all members of the National Guard who shall appear without such suitable uniform, arms and equipments at any parade or drill required by this act shall be returned as absent and fined accordingly. Such muster shall be made by the inspector-general, assistant inspector-general or an acting assistant inspector-general, of each commissioned and non-commissioned officer, musician (exclusive of musicians composing bands not enlisted), and private present and absent, and three muster-rolls shall be officially certified to by such inspector, in accordance with such regulations and restrictions as may be prescribed by the commander-in-chief. And the said inspector shall, within fifteen days after the day of muster, file one of the said muster-rolls in the office of the Adjutant-General, and one with the commandant of the troop, battery or company, and retain one himself.

§ 10. Section 134 of said act is hereby amended so as to read as follows:

§ 134. No parade or rendezvous of the National Guard shall be ordered on any day during which a general or special election shall be held, nor within five days previous to such election, except in case of riot, invasion or insurrection, or of imminent danger thereof; and if any officer shall order any such parade or rendezvous, he shall forfeit and pay to the people of this State the sum of \$500. Provided, that a court-martial or court of inquiry shall not be deemed a rendezvous of the National Guard.

§ 11. Section 149 of said act is hereby amended so as to read as follows:

§ 149. It shall be the duty of the commandants of troops, batteries or companies, twenty days prior to the annual muster and inspection, to furnish the Inspector-General with three copies of a muster-roll, which will show the names and rank or grade of all the officers, non-commissioned officers, musicians and privates belonging to such troop, battery or company, upon such form as may be prescribed by the commander-in-chief.

§ 12. Section 150 of said act is hereby amended so as to read as follows:

§ 150. It shall be the duty of each commandant of a regiment or battalion, twenty days prior to the annual muster, to furnish the Inspector-General with three copies of a muster-roll and inspection return of the field and staff officers, and non-commissioned staff officers, and enlisted bands of said regiment or battalion, and each general officer shall furnish like rolls of his staff officers within the said time; and the inspector shall, within fifteen days after the day of muster, file one of the muster-rolls in the office of the Adjutant-General, and one with the officer who furnished the rolls.

§ 13. Section 166 of said act is hereby amended so as to read as follows:

§ 166. Battery, troop or company commanders, respectively, may appoint from the enlisted men of their command, for the discharge of the usual clerical duty incident thereto, a suitable person as clerk, to whom there shall be paid annually out of the respective regimental battalion, battery, troop or company, funds provided by section 178 of this act, the sum of \$50, to be paid in the same manner as other accounts are paid from such funds.

§ 14. Section 178 of said act is hereby amended so as to read as follows:

§ 178. The Comptroller shall annually draw his warrant upon the treasurer in favor of the county treasurer of each county for the sum of \$1,500 for each regiment, and the sum of \$1,000 for each battalion, and the sum of \$1,000 for each separate mounted battery, and the sum of \$200 for each separate battery not mounted, and the sum of \$600 for each separate troop of cavalry, and the sum of \$500 for each separate company of infantry, certified by the Adjutant-General to be organized according to the provisions of this act, within the county; or in case any regiment, battalion or separate troop, battery or company of infantry is organized in two or more counties, then the Comptroller shall draw his warrant in favor of such county treasurer as the Adjutant-General may in his certificate direct; which sums, and also those paid in like manner by the State, in lieu of furnishing uniforms and equipments, as provided in section 113 of this act, together with the fines collected from delinquent officers, non-commissioned officers, musicians and privates, shall constitute the military fund of such regiment, battalion or separate troop, battery or company of infantry.

§ 15. Section 183 of said act is hereby amended so as to read as follows:

§ 183. The commander-in-chief is empowered to prescribe such rules and regulations as he may deem necessary to secure a proper disposition of, and accountability for, the regimental, battalion and separate troop, battery or company funds. And no part of such funds shall be expended for any purpose whatever, unless under the express sanction and approval of the presidents of the auditing boards respectively, and so certified upon the abstract of accounts thereof. And on the approval of the commander-in-chief, accounts for clerk hire and other necessary expenses at head-quarters of divisions and brigades, when audited by the Adjutant-General, shall be paid from the general fund of the State appropriated for military purposes; provided, however, that the amount of such accounts in any one year shall not exceed the sum of \$1,000 for a division, and \$500 for a brigade.

§ 16. Section 184 of said act is hereby amended so as to read as follows:

§ 184. Courts of inquiry, to consist of one officer of at least equal grade with the officer or with the senior officer if there be more than one in relation to whom the court is instituted, may be ordered by the commander-in-chief, or by the commanding officer of a division in relation to those officers for whose trial they are authorized to appoint courts-martial, for the purpose of investigating the conduct of any officer or officers, either by his or their own solicitation or on a complaint or charge of improper conduct degrading to the character of an officer, or for the purpose of settling rank, or for investigating any facts made the subject of military complaint.

§ 17. Section 196 of said act is hereby amended so as to read as follows:

Of courts for the trial of non-commissioned officers, musicians and privates.

§ 196. For the trial of delinquent non-commissioned officers, musicians and privates, the commandant of each regiment or battalion may at any time appoint a regimental or battalion court-martial in his command, to consist of an officer in his command whose grade is not below that of captain; and in the case of a separate regiment, battalion, troop, battery or company attached to a division or brigade, the court shall be appointed by the commandant of the division or brigade to which such separate regiment, battalion, troop, battery or company is attached. For offenses on charges and specifications, the commandant of each brigade may at any time appoint a court-martial for the trial of non-commissioned officers, musicians and privates belonging to any regiment or battalion in his brigade, or to any separate troop, battery or company attached to the same, to consist of three officers in his brigade not below the grade of captain; in the case of a separate troop, battery or company attached to a division, the court shall be appointed by the commandant of the division to which such separate troop, battery or company is attached. No person shall be brought to trial on charges and specifications, unless the same shall have been approved by the officer ordering the court, and a copy thereof certified by said officer shall have been served upon the party charged at least five days before the trial of the party so charged, and the court may adjourn to permit of such service.

§ 18. Section 197 of said act is hereby amended so as to read as follows:

§ 197. The officers appointing said courts shall fix the time and place of convening the same, and the appointment of said courts shall be published in orders at least ten days previous to the convening thereof. When convened, the court may adjourn from time to time as shall become necessary for the transaction of business; but the whole session of a court composed of one officer, from the day on which it shall convene until its dissolution, shall not exceed three weeks; and in case any vacancy shall happen in the court, or a new court shall be required, the officer ordering the court, or his successor in command, may fill such vacancy or order a new court.

§ 19. Section 198 of said act is hereby amended so as to read as follows:

§ 198. The officers constituting such courts shall, before they enter

on their duties as such, take the following oath: "I, _____, do swear (or affirm) that I will well and truly try and determine, according to evidence, all matters between the people of the State of New York and any person or persons who shall come before the court to which I have been appointed;" and such oath shall be taken by him before a judge of some court of record in this State, a justice of the peace in the county in which he resides, a field officer, or the commandant of the division or brigade to which he belongs, and it shall be the duty of such persons to administer the oath without fee or reward.

§ 20. Section 199 of said act is hereby amended so as to read as follows:

§ 199. The president of each of such courts shall direct a non-commissioned officer, or other fit person or persons, to be by him designated, to summon all delinquents and parties accused to appear before the court, at a time and place to be by him appointed, which service shall be personal, or by leaving such summons for such delinquents and parties accused, as provided in section 142 of this act.

§ 21. Section 201 of said act is hereby amended so as to read as follows:

§ 201. The court, consisting of one officer, when organized, shall have the trial of all [offenses] delinquencies and deficiencies that occur in the regiment [or] battalion, separate troop, battery or company for which it shall have been appointed, and the court, composed of three officers, when organized, shall have the trial of all offenses other than delinquencies and deficiencies, that occur in any regiment or battalion in the brigade for which it shall have been appointed, and also of all that occur in the separate troops, batteries or companies attached to the same brigade; and in case the court is ordered by the division commander, then of all offenses other than delinquencies and deficiencies that occur in the separate troops, batteries or companies attached to the division, and the said courts shall have power to impose and direct to be levied all the fines or penalties to which non-commissioned officers, musicians or privates are declared to be subject by the provisions of this act. But in case written charges shall have been preferred against any non-commissioned officer, musician or private in the regiment or battalion, separate troops or batteries or company, for the trial of offenders, in which the court shall have been ordered, said court shall not have jurisdiction thereof unless the same shall have been approved by the officer ordering the court, and a copy of such charges, certified by said officer, shall have been served upon the party charged, at least five days before the trial of the party so charged, and the court may adjourn to permit of such service.

§ 22. Section 203 of said act is hereby amended so as to read as follows:

§ 203. No compensation whatever shall be allowed to the officers constituting said courts for the trial of delinquencies.

1. There shall be allowed and paid out of the military fund of the regiment, battalion, separate troop, battery or company for which the court shall have been ordered, on the certificate of the president, to the president and members of such courts, composed of three officers, a sum equal to one day's pay for field duty for each day they may be actually employed in holding the court or engaged in the business thereof, or in traveling to and from the court, in accordance with the provisions of section 165 of this act, and their actual traveling ex-

penses; provided, that any and all allowances shall not exceed for each the field pay respectively for the period of three weeks, and to the non-commissioned officer or other person who shall have summoned offenders to appear before the court, two dollars for each day he may have been necessarily so employed, and the same sum for each day of his attendance on the court, the same to be paid in like manner with other military accounts; provided, however, that in the case of courts composed of one officer, for the trial of delinquencies and deficiencies, the same shall be paid out of the military fund of the regiment, battalion, separate troop, battery or company for which the court shall have been ordered.

2. Each officer, to whom a warrant for the collection of fines may be directed, shall be entitled to the same fees, and be subject to the same penalties for any neglect, as are allowed and provided for executions issued out of justices' courts.

3. For all other services and commitments under this act, the sheriff, jailer and constables executing the same shall be entitled to the like fees as for similar services in civil cases.

§ 23. Section 204 of said act is hereby amended so as to read as follows:

§ 204. All fines and penalties imposed by any court-martial convened in pursuance of the preceding section shall be paid, by the officer collecting the same, into the treasury of the county within which the regiment, battalion, separate troop, battery or company is located, within thirty days after the collection thereof, and shall belong to the military fund of the regiment, battalion, separate troop, battery or company of which the persons paying the fines and penalties are members; and the treasurer of such county shall thereupon report the amount thereof, designating the organization to which it belongs, to the Adjutant-General of the State.

§ 24. Section 207 of said act is hereby amended so as to read as follows:

§ 207. Every commissioned officer, and every non-commissioned officer, musician and private, shall, on due conviction, be subject, for the following offenses, to the fines and penalties thereto annexed.

1. Every commissioned officer, for non-attendance at any drill, parade or encampment, and every such officer, non-commissioned officer, musician or private, neglecting or refusing to obey the orders of his superior officer on any day of drill, parade or encampment, or to perform such military duty or exercise as may be required, or departing from his colors, post or guard, or leaving his place or ranks without permission, or making a false entry upon a muster-roll, or knowingly muster as a soldier a substitute or a person who is not a regularly enlisted soldier in and a member of his command, or making a false entry upon a score blank or return of rifle practice, or knowingly permit a substitute to shoot in the name of a member of his command, or refusing or neglecting to grant the discharge provided for in section 254 of this act, a fine of not more than one hundred, nor less than five dollars.

2. Every non-commissioned officer, musician and private, for non-appearance, when duly warned or summoned at a troop, battery or company parade, a fine of two dollars for each day; and in case of a troop parading mounted, a fine of six dollars for each day; at a regimental or battalion parade, drill or encampment, not less than one or

more than six dollars for each day; and at a place of rendezvous when called into actual service, in case of war, insurrection or invasion, or imminent danger thereof, a sum not exceeding twelve months' pay, nor less than one month's pay; and for disobedience of orders, or any conduct to the prejudice of good order and military discipline, whether by language or act, committed in uniform, or committed while going to or returning from, or while present at any lawful assembling of the regiment, battalion, separate company, troop, battery or band to which such non-commissioned officer, musician or private belongs, whether he be in uniform or not at the time of the commission of the offense, or for conduct on or off duty which shall tend to create insubordination amongst the members of the National Guard, a fine not exceeding fifty dollars; and also, in the discretion of the court, the offender shall be liable to expulsion from the command to which he belongs.

3. Every commissioned officer or non-commissioned officer or enlisted man for neglecting or refusing to obey any order or warrant to him lawfully given or directed, or to make a proper return thereof, if such return be necessary, or making a false return, or neglecting or refusing, when required, to summon a delinquent before a court-martial, or duly to return such summons, a fine of not more than one hundred, nor less than five dollars.

§ 25. Section 214 of said act is hereby amended so as to read as follows:

§ 214. For the purpose of collecting any fines or penalties imposed by any court-martial authorized by this act, the president of the court shall, within fifteen days after the expiration of the time in which an appeal is allowed as provided in section 202 of this act (fines or penalties having been approved), make a list of all the persons fined, describing them distinctly, and showing the sums imposed as fines or penalties on each person, and shall draw his warrant, under his official signature, directed to any marshal of the court, or to the sheriff or constable of any city or county (as the case may be), thereby commanding him to levy such fine or penalties, together with the costs, on the goods and chattels of such delinquents; and, in default of such sufficient goods and chattels to satisfy the same, then to take the body of such delinquent and convey him to the common jail of such city or county, whose jailer shall keep the said delinquent closely confined, without bail or mainprize, for two days, for any fine or penalty not exceeding two dollars, and two additional days for every dollar above that sum, unless the fine or penalty, together with the costs and the jailer's fees, be sooner paid; but no such imprisonment shall extend beyond the period of twenty days; provided, however, that the prisoner may be liberated at any time by order of the commandant of the brigade to which he belongs; and in case of a prisoner belonging to a separate troop, battery or company, attached to a division or brigade, then by order of the commandant of the division or brigade. No property shall be exempt from the payment of such fines or penalties.

§ 26. Section 235 of said act is hereby amended so as to read as follows:

§ 235. The chiefs of each division and brigade staff, and the adjutants of regiments or battalions, and the commandants of separate troops, batteries or companies, shall, on or before the fifteenth day of January in each year, return to the commandants of such division

and brigade, respectively, the names of all commissioned officers absent from any parade, encampment, drill or meeting for instruction during the preceding year. Within ten days after the receipt of such returns, the respective commandants of divisions or brigades, as the case may be, shall order court-martial for the trial of such officers for such delinquencies, which courts-martial shall consist of three officers, and be ordered, if for the trial of officers above the rank of captain, by the commandant of the division, and for the trial of all other officers, by the commandant of the brigade; provided, however, that the services of a judge advocate shall not be required at any court-martial appointed under the provisions of this section; and, also, further provided, that in all cases no member of the court shall be of less grade than the delinquent, and that for the trial of officers of any regiment, or separate troop, battery or company attached to a division, the court shall be ordered by the commandant of the division, and for the trial of officers of any separate troop, battery or company attached to a brigade, the court shall be ordered by the commandant of the brigade. It shall not be necessary to cause the arrest of such absentee, nor to serve any charges, unless, in the discretion of the officer ordering the court, it may be deemed proper; but the delinquent may be fined, pursuant to the provisions of this act, provided he shall have appeared before the court without objection, or notice of the return and of the time appointed for holding the court-martial shall have been delivered to him, or left at his dwelling-house or store.

§ 27. Section 253 of said act is hereby amended so as to read as follows:

§ 253. Every non-commissioned officer, musician and private or the National Guard originally enlisting, shall be held to duty therein for the term of five years; and in case of re-enlisting, for the term for which he re-enlists, unless disability after enlistment shall incapacitate him to perform such duty, and he shall be regularly discharged in consequence thereof by the commandant of his regiment, battalion, separate troop, battery or company; provided, however, that every such non-commissioned officer, musician and private shall continue held to duty, and shall retain his rank and be eligible to promotion, after the expiration of his term of enlistment or re-enlistment, so long as he or the commandant of his troop, battery or company omits to apply for his discharge, as provided in the next succeeding section; and on such application being made, his discharge shall not be granted until the expiration of three months from the date of the application, except when the application is made by the commandant of his troop, battery or company, in which case the discharge may be granted immediately; and also, further provided, that every non-commissioned officer, musician and private who enlisted prior to the first day of May, 1875, shall serve the whole length of the term for which he enlisted. Every commissioned officer, and every non-commissioned officer, musician and private of the National Guard shall be exempt from jury duty during the time he shall perform military service; and every such person who shall have so served five or more years, and been honorably discharged, shall forever after be exempt from jury duty. Except as herein otherwise provided, no non-commissioned officer, musician or private of the National Guard shall be discharged from service, except for physical disability or expiration of term of enlistment. Discharges for physical disability shall be granted only upon the cer-

tificate of the regimental or battalion surgeon, and in the case of a separate troop, battery or company, of the surgeon of the division or brigade to which such separate troop, battery or company is attached; always provided, however, that the commandant of each division may, for sufficient reasons, and in his discretion, discharge enlisted men in his division, at any time, upon the recommendation of the commandant of the troop, battery or company, with the approval of the commandant of the regiment or battalion and of the brigade to which they belong; and in the case of a separate troop, battery or company attached to a brigade, upon the recommendation of the commandant of such separate troop, battery or company, with the approval of the commandant of the brigade; and in the case of a regiment, separate troop, battery or company attached to a division, upon the recommendation of the commandant of such regiment, separate troop, battery or company; but no enlisted man shall be discharged from service unless he produces the certificate of his immediate commanding officer that he has turned over or satisfactorily accounted for all property issued to him. Commanding officers of divisions, brigades, regiments and battalions, and of separate troops, batteries or companies, shall make returns to the Adjutant-General, on the last days of March, June, September and December, in each year, of all changes in their commands during the previous three months, giving the names and grades of the persons discharged, and the cause thereof, and also of those gained by enlistment.

§ 28. Section 253 of said act is hereby amended so as to read as follows:

§ 263. For violations of the by-laws, rules and regulations provided in the last preceding section, the non-commissioned officer, musician or private offending may be expelled from the troop, battery or company to which he belongs, by the vote of a majority of all its members; and upon such action of the troop, battery or company being confirmed in orders by the commandant of the regiment or battalion; and, in case of a separate troop, battery or company, by the commandant of the brigade or division to which such separate troop, battery or company is attached, the names of such persons shall be stricken from the roll of such troop, battery or company, his certificate of membership shall be surrendered and canceled, and he shall cease to be a member of such troop, battery or company; and his time of service in said troop, battery or company shall not be allowed under the provisions of this act; or whenever a member of any troop, battery or company shall have moved beyond the bounds of the State, or having been absent without leave and having been returned to court-martial and fined by sentence thereof, and such sentence cannot be enforced for reason of inability to find such member, and such sentence having been promulgated at least three months, the commandant of the troop, battery or company shall report the names of such members and the causes therefor to the commandant of the regiment or battalion; or in case of separate troop, battery or company, to the commandant of the brigade or division to which it is attached. Upon the return of such report bearing the approval of the officer to whom it was made, the commandant of the troop, battery or company is authorized to drop such names from his company roll. Members so dropped may be taken up by the commandant of the troop, battery or company, by order of the commandant of the division, brigade, regiment

or battalion to which it is attached, upon evidence that such members have resumed their residence in the State, or have voluntarily returned to duty and paid all fines and penalties due, or have been arrested and the sentence of court martial enforced, and in such cases their names shall again be entered upon the rolls.

§ 29. This act shall take effect immediately.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|---------|-----------------|
| Alvord | Clowes | Howland | Sheridan |
| Andrews | Congdon | Husted | Sherman |
| Baker, B. F. | Cookinham | Lefever | Shuit |
| Baker, C. S. | Cullinan | Liddle | Sipp |
| Beach | Curtis | McAvoy | Skinner |
| Beates | Deane | McCabe | Slingerland |
| Benedict, E. D. | Dougherty | Miller | Steele |
| Benedict, T. E. | Douglass | Mooers | Strait |
| Bennett | Duguid | Morgan | Tallmadge |
| Brennan | Ellis | Newman | Terpeny |
| Bridges | Evans | Nowlan | Thilemann |
| Brodsky | Ferrie | Peck | Travis |
| Bullock | Fish | Pitcher | Treanor |
| Carpenter, I. S. | Fiske | Potter | Tuthill, H. H. |
| Case | Gillette | Potts | Tuttle, R. M. |
| Catlin | Gray | Root | Van Valkenburgh |
| Chamberlain | Griggs | Russell | Varnum |
| Obickering | Gwinup | Sanders | Waterbury |
| Childs | Havens | Seeley | Wells, J. L. |
| Clark | Hayes | Shanley | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the relief of the Union Plank Road Company," being announced for a third reading,

On motion of Mr. Sharpe, and by unanimous consent, said bill was amended in words following:

Section 1, add at end thereof as follows: "Provided, however, that such location shall not, at any time, be changed to run or be operated through Washington avenue, as hereinbefore provided, unless the consent in writing of the person representing a majority of the taxable property, which will hereafter be affected by such change, and fronting on said avenue, be first obtained and filed in the office of the clerk of the common council of said city."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }
 { NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Cullinan | Low | Shuit |
| Andrews | Curtis | McAvoy | Sipp |
| Baker, B. F. | Deane | McCabe | Sisson |
| Baker, C. S. | Dougherty | Miller | Skinner |
| Beach | Douglass | Mooers | Slingerland |
| Beates | Duguid | Morgan | Steele |
| Benedict, E. D. | Ellis | Newman | Strait |
| Benedict, T. E. | Evans | Nowlan | Tallmadge |
| Bennett | Ferris | Parker | Terpeny |
| Brennan | Fish | Peck | Terry |
| Bridges | Fiske | Phillips | Thilemann |
| Brodsky | Gillette | Pitcher | Travis |
| Bullock | Gray | Potter | Treanor |
| Carpenter, I. S. | Griggs | Potts | Tuthill, H. H. |
| Case | Gwinup | Root | Tuttle, R. M. |
| Catlin | Hayes | Russell | Van Valkenburgh |
| Chamberlain | Howland | Sanders | Varnum |
| Chickering | Husted | Seeley | Waterbury |
| Childs | Lefever | Shanley | Wells, J. L. |
| Clark | Liddle | Sheridan | Wren |
| Congdon | Lindsay | Sherman | Youngs |
| Cookinham | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Gray offered for the consideration of the House a resolution in the words following:

Resolved, That the sub-committee of the whole be discharged from further consideration of Assembly bill No. 669, general orders No. 788, entitled "An act to regulate the dimensions and measurement of apple barrels," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Van Valkenburgh called from the table the report of the sub-committee in words following:

Report of the sub-committee of the whole.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 651, printed No. 567, entitled "An act in relation to the overseers of the poor of the town of Flushing, Queens county," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 571, printed No. 501, entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,' so far as said act relates to the village of Wolcott," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 679, printed No. 593, entitled "An act to confirm the official acts of George M. Briggs, Charles Forbes and George W. Brimmer, commissioners of excise in and for the town of Broadalbin, in the county of Fulton, and to enable them to execute

a bond to the supervisor thereof," reported in favor of the passage of the same without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 694, printed No. 606, entitled "An act to enable marine insurance companies to amend their charters," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 635, printed No. 556, entitled "An act to regulate the passage of lumber, logs and other timber upon the rivers of this State, recognized by law or common use as public highways for the purpose of floating and running lumber, logs and other timber over or upon the same to market or places of manufacture," reported in favor of the passage of the same, with amendments as follows:

Section 10, line 3, change the word "surety" to "sureties."

Also add at the end of section 10 the following:

"And any person suffering such loss or damage may maintain an action in his own name against the parties executing such bond for his loss and damage aforesaid; until such bond shall have been executed, approved and filed as aforesaid, no person or persons shall float or run any lumber, logs or other timber upon or over any of said rivers or assist in so doing, and whoever shall violate this provision shall be guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding five thousand dollars, or imprisonment not to exceed six months, or by both such fine and imprisonment."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 185, printed No. 173, entitled "An act to amend an act entitled 'An act to incorporate the New York State Convention of Universalists,'" passed April 12, 1862, for the purpose of organizing a missionary board, and defining its powers and duties, reported in favor of the passage of the same, with amendments as follows:

Section 1, line 1, strike out the words "The act of incorporation" and insert "chapter 188 of the Laws of 1862."

Also amend the title so that it will read:

"An act to amend chapter 188 of the Laws of 1862, entitled 'An act to incorporate the New York State Convention of Universalists, and to organize a mission board and define its powers and duties.'"

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 412, printed No. 378, entitled "An act to amend an act entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,'" passed June 20, 1879, reported in favor of the passage of the same, with amendments as follows:

Section 1, line 1, strike out the words "of said act" and insert "of chapter 534 of the Laws of 1879;" same line, after the word "amended" insert "so as to read."

Also to amend the title so that it will read:

"An act to amend chapter 544 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game.'"

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 387, printed No. 358, entitled "An act to amend an act entitled 'An act to amend the charter of the village of Horseheads, Chemung county,' passed April 14, 1855, and the several acts amendatory thereof, by annexing the following sections," reported in favor of the passage of the same, with amendments as follows:

To insert at the beginning of section 1 as follows:

Section 1. Chapter 486 of the Laws of 1855, entitled "An act to amend the charter of the village of Horseheads, Chemung county, is hereby amended by adding the following sections to be known as sections 64, 65, 66, 67 and 68, and to read as follows, section 64."

Change section 2 to section 65, change section 3 to section 66.

Strike out all of section 4 and insert as section 67 the following:

"Nothing in this act shall affect in any way the disposition of any portion of said canal heretofore made according to law, or in any way interfere with or prevent a disposition and removal of the material of the locks and bridges of said canal as provided by chapter 404 of the Laws of 1877, and the acts amendatory thereof."

Change section "5" to section "68."

Also to amend the title so that it will read:

"An act to amend chapter 486 of the Laws of 1855, entitled 'An act to amend the charter of the village of Horseheads, in Chemung county, and the several acts amendatory thereof and to supplement new sections.'"

Mr. Alvord in the chair.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 458, not printed, entitled "An act to legalize the official acts of Frank M. Goff, a justice of the peace, and allow him to file his official bond," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. , printed No. 212, entitled "An act to amend chapter 407 of the Laws of 1876, entitled 'An act extending the powers of the trustees of the village of Canandaigua,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 505, printed No. 30, entitled "An act further to amend chapter 446 of the Laws of 1874, entitled 'An act to revise and consolidate the Statutes of the State relating to the care and custody of the insane, the management of the asylums for their treatment and safe-keeping, and the duties of the State Commissioner in Lunacy,'" reported in favor of the passage of the same, without amendment.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Mr. Sharpe moved to take from the table the motion to reconsider the vote by which the bill entitled "An act to amend chapter 372, Laws of 1837, entitled 'An act to incorporate the Society for the Relief of Half Orphan and Destitute Children in the city of New York,'" was lost.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord
Andrews

Cullinan
Curtis

Liddle
McAvoy

Shuit
Sipp

| | | | |
|------------------|-----------|----------|-----------------|
| Baker, B. F. | Dougherty | McCabe | Skinner |
| Baker, C. S. | Douglass | Miller | Slingerland |
| Beach | Duguid | Mooers | Steele |
| Beates | Ellis | Morgan | Strait |
| Benedict, E. D. | Evans | Newman | Tallmadge |
| Benedict, T. E. | Ferris | Nowlan | Terpeny |
| Bennett | Fish | Parker | Terry |
| Bridges | Fiske | Peck | Thilemann |
| Brodsky | Gillette | Phillips | Travis |
| Bullock | Gray | Pitcher | Treanor |
| Carpenter, I. S. | Griggs | Potter | Tuthill, H. H. |
| Case | Gwinup | Potts | Tuttle, R. M. |
| Catlin | Hagan | Root | Van Valkenburgh |
| Childs | Hayes | Russell | Varnum |
| Clark | Howland | Sanders | Walsh |
| Clowes | Hurd | Seeley | Wells, J. L. |
| Congdon | Husted | Sheridan | Wren |
| Cookinham | Lefever | Sherman | Youngs |

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Cullinan | McAvoy | Sipp |
| Andrews | Curtis | McCabe | Skinner |
| Baker, B. F. | Deane | Miller | Slingerland |
| Baker, C. S. | Dougherty | Mooers | Steele |
| Beach | Douglass | Morgan | Strait |
| Beates | Duguid | Newman | Tallmadge |
| Benedict, E. D. | Ellis | Nowlan | Terpeny |
| Benedict, T. E. | Evans | Parker | Terry |
| Bennett | Ferris | Peck | Thilemann |
| Brennan | Fish | Phillips | Travis |
| Bridges | Fiske | Pitcher | Treanor |
| Brodsky | Gillette | Potter | Tuthill, H. H. |
| Bullock | Gray | Potts | Tuttle, R. M. |
| Carpenter, I. S. | Griggs | Root | Van Valkenburgh |
| Case | Gwinup | Russell | Varnum |
| Catlin | Hagan | Sanders | Walsh |
| Chickering | Hayes | Seeley | Waterbury |
| Childs | Howland | Shanley | Wells, J. L. |
| Clark | Hurd | Sheridan | Wren |
| Clowes | Husted | Sherman | Youngs |
| Congdon | Lefever | Shuit | Mr. Speaker |
| Cookinham | Liddle | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message was received from the Senate in words following :

IN SENATE, April 26, 1880.

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to facilitate the carrying out of plans and agreements for the reorganization of railroads."

The vote upon the final passage of the said bill having been recon-

sidered, on motion of Mr. Madden, and by unanimous consent, the same was amended as follows:

Section 1, line 14, after the word "thereupon" insert "with the approval of the State Engineer and Surveyor."

And as amended passed, re-engrossed and ordered sent to the Assembly for concurrence.

By order.

JOHN W. VROOMAN, *Clerk*.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Cushing | Liddle | Sherman |
| Andrews | Deane | Low | Shuit |
| Baker, B. F. | Dougherty | McAvoy | Sipp |
| Baker, C. S. | Douglass | McCabe | Skinner |
| Beates | Duguid | Miller | Slingerland |
| Benedict, E. D. | Ellis | Mooers | Steele |
| Benedict, T. E. | Evans | Morgan | Strait |
| Brennan | Ferris | Newman | Tallmadge |
| Bridges | Fish | Nowlan | Terpeny |
| Brodsky | Fiske | Parker | Terry |
| Bullock | Gillette | Peck | Thilemann |
| Carpenter, I. S. | Gorsline | Phillips | Travis |
| Case | Gray | Potts | Tuthill, H. H. |
| Catlin | Griggs | Root | Tuttle, R. M. |
| Chickering | Gwinup | Russell | Van Valkenburgh |
| Clark | Hayes | Sanders | Varnum |
| Congdon | Howland | Seeley | Walsh |
| Cookinham | Hurd | Shanley | Wells, J. L. |
| Cullinan | Husted | Sheridan | Youngs |
| Curtis | Lefever | | |

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|---------|-----------------|
| Alvord | Deane | McAvoy | Shuit |
| Andrews | Dougherty | McCabe | Sipp |
| Baker, B. F. | Douglass | Miller | Skinner |
| Baker, C. S. | Duguid | Mooers | Slingerland |
| Beates | Ellis | Morgan | Strait |
| Benedict, E. D. | Evans | Newman | Tallmadge |
| Brennan | Ferris | Nowlan | Terpeny |
| Bridges | Fish | Parker | Terry |
| Brodsky | Fiske | Peck | Thilemann |
| Bullock | Gillette | Pitcher | Travis |
| Carpenter, I. S. | Gorsline | Potter | Tuthill, H. H. |
| Case | Gray | Potts | Tuttle, R. M. |
| Catlin | Griggs | Root | Van Valkenburgh |
| Chickering | Hayes | Russell | Varnum |
| Clark | Howland | Sanders | Walsh |
| Clowes | Hurd | Seeley | Waterbury |

| | | | |
|-----------|---------|----------|--------------|
| Congdon | Husted | Shanley | Wells, J. L. |
| Cookinham | Lefever | Sheridan | Wren |
| Cullinan | Liddle | Sherman | Youngs |
| Curtis | Low | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

By unanimous consent,

Mr. Gillette offered for the consideration of the House a resolution in the words following:

Resolved, That Senate bill No. 216, entitled "An act to authorize and direct the commissioners of highways in the town of Kinderhook to protect and secure a certain highway in said town against encroachments of the Kinderhook creek," now have its third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|------------------|
| Alvord | Curtis | Low | Sherman |
| Andrews | Deane | McAvoy | Shuit |
| Baker, B. F. | Dougherty | McCabe | Sipp |
| Baker, C. S. | Douglass | Miller | Skinner |
| Beach | Duguid | Moors | Slingerland |
| Beates | Ellis | Morgan | Steele |
| Benedict, E. D. | Evans | Newman | Strait |
| Benedict, T. E. | Ferris | Nowlan | Tallmadge |
| Brennan | Fish | Parker | Terpeny |
| Bridges | Fiske | Peck | Terry |
| Brodsky | Gillette | Phillips | Thilemann |
| Bullock | Gorsline | Pitcher | Travis |
| Carpenter, I. S. | Gray | Potter | Tuthill, H. H. |
| Case | Griggs | Potts | Tuttle, R. M. |
| Catlin | Gwinup | Root | Van Valkenburgh, |
| Ohilds | Hayes | Russell | Varnum |
| Clark | Howland | Sanders | Waterbury |
| Clowes | Hurd | Seeley | Wells, J. L. |
| Congdon | Husted | Shanley | Wren |
| Cookinham | Lefever | Sheridan | Youngs |
| Cullinan | Liddle | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Hayes moved that the committee of the whole be discharged from the further consideration of the bill entitled "An act relative to certain improvements in the city of New York," and said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Low offered for the consideration of the House a resolution in the words following:

Resolved, That Assembly bill No. 615, general orders No. 706, entitled "An act to authorize the selection, location and appropriation of certain lands in the village of Niagara Falls for a State reservation, and to preserve the scenery of the Falls of Niagara," be referred to the committee of ways and means for amendment, with power to report at any time, retaining its place on the order of third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

A message from the Senate was received and read informing of concurrence in the passage of the following resolutions:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return of Assembly bill, not printed, entitled "An act to extend the time for the collection of taxes in the county of Richmond," for amendment.

Also,

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return of Assembly bill introductory No. 989, entitled "An act to extend the time for the collection of taxes in the town of Liberty, in Sullivan county, for amendment."

Ordered, That the Clerk return the above several resolutions to the Governor.

A message from the Senate was received and read informing of concurrence in the passage of the following bills:

"An act in relation to a certain bridge over the Erie canal on Mill street in the city of Lockport."

"An act to enable the town of Newtown, in Queens county, to fund a portion of its bonded debt at a reduced rate of interest."

"An act to establish the quorum of the local board of the Brookport Normal and Training School."

"An act to amend section 90 of chapter 426 of the Laws of 1847, entitled 'An act to provide for the incorporation of villages.'"

"An act conferring additional powers upon the trustees of the village of LeRoy."

"An act in relation to assessments for taxes in the village of Ellenville."

"An act to provide for the compilation and revision of the Laws of the State of New York, affecting banks, banking and trust companies."

"An act for the preservation of fish in the waters of Loon lake, in the county of Steuben."

"An act to extend the time for the collection of taxes in the town of Cortland, in the county of Westchester."

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned Assembly bill entitled "An act to amend section 3 of chapter 176 of the Laws of 1876, entitled 'An act supplementary to chapter 60 of the Laws of 1813, entitled 'An act to provide for the incorporation of religious societies,' and the acts supplementary thereto," with a message that the vote on the final passage of the within entitled bill was reconsidered and, as amended, passed.

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Van Valkenburgh, and at 10 o'clock, the House adjourned.

TUESDAY MORNING, APRIL 27, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Graham, of Troy.

The journal of yesterday was read and approved.

Privileges of the floor were granted to Hon. Mr. Gentz and to Hon. C. A. Orr.

Leave of absence was granted to Mr. Davis.

By unanimous consent,

Mr. Duell offered for the consideration of the House a resolution in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of Assembly bill No. 745, general orders No. 899, entitled "An act for the relief of Babette Stemmler," and that it be sent to the sub-committee of the whole.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Sherman, from the committee on public education, to which was referred the bill introduced by Mr. Alvord (introductory No. 1043), entitled "An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Tallmadge offered for the consideration of the House a resolution in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of Assembly bill No. 352, general orders No. 378, entitled "An act to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn and the various amendments thereof,'" and that the same be ordered to a third reading.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Cookinham introduced a bill entitled "An act to authorize the city of Utica to borrow money to pay certain debts therein," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Cookinham, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord
Andrews

Deane
Dougherty

Lefever
Liddle

Sherman
Shuit

| | | | |
|-----------------|-----------|----------|----------------|
| Baker, C. S. | Douglass | Low | Sipp |
| Beach | Duell | McAvoy | Sisson |
| Beates | Duguid | Miller | Skinner |
| Benedict, E. D. | Ellis | Nowlan | Steele |
| Benedict, T. E. | Evans | O'Brien | Strait |
| Bennett | Ferris | O'Connor | Tallmadge |
| Brennan | Fish | Parker | Terpehy |
| Bridges | Fiske | Peck | Terry |
| Bullock | Gibbs | Phillips | Titus |
| Case | Gorsline | Pitcher | Tormey |
| Chickering | Gray | Potts | Travis |
| Clark | Griggs | Rhodes | Tuthill, H. H. |
| Cohen | Havens | Roberts | Tuttle, R. M. |
| Comstock | Hoffman | Root | Warner |
| Congdon | Howland | Russell | Waterbury |
| Cookinham | Hurd | Sanders | Wells, J. L. |
| Crapser | Ingersoll | Seeley | Wren |
| Cullinan | Kennedy | Sheridan | Yongs |
| Curtis | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Brennan introduced a bill entitled "An act for the relief of certain persons engaged in the practice of dentistry in this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Fiske introduced a bill entitled "An act in relation to rates of fare upon certain railroads," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent,

Mr. Tuthill introduced a bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the village of Moravia, in the county of Cayuga, and to repeal existing laws incorporating said village,' passed March 15, 1859, passed March 28, 1867,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Tuthill, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Alvord, on behalf of D. A. Wells, introduced a bill entitled "An act to establish a cemetery in the town of Long Lake, Hamilton county," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Alvord, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Dougherty introduced a bill entitled "An act in relation to The Ladies' Union Aid Society of the Methodist Episcopal Church in the city of New York," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Dougherty, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Duell introduced a bill entitled "An act for the relief of Philip Hathaway," which was read the first time, and by unanimous consent

was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Deane introduced a bill entitled "An act to provide for the payment of the salary and legal expenses of George W. Morton, an excise commissioner in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Bridges, by request, introduced a bill entitled "An act to provide uniform fees for sheriffs of the several counties of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Catlin introduced a bill entitled "An act to amend chapter 249 of the Laws of 1864, entitled 'An act to amend an act entitled 'An act to provide for the incorporation of villages, passed December 7, 1847, and the several acts amendatory thereof, so far as the same relates to the village of New Rochelle, in the county of Westchester, and the several acts amendatory thereof,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

On motion of Mr. Catlin, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Comstock introduced a bill entitled "An act relative to foreign corporations and incorporated companies transacting business within the State of New York" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

By unanimous consent,

Mr. Steele offered for the consideration of the House a resolution in the words following:

Resolved, That the time for which the stenographer to the special joint committee on assessment and taxation was employed be further extended twenty days.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Andrews introduced a bill entitled "An act to amend chapter 291 of the Laws of 1867, entitled 'An act to incorporate the city of Binghamton,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Tuttle, from the committee on public printing, to which was referred the resolution to print extra copies of the report of the commissioners appointed to settle the disputed boundary lines with the State of Connecticut, reported in favor of the adoption of the following resolution:

Resolved (if the Senate concur), That there be printed, for the use of the Legislature, 3,000 copies of the report of the commissioners appointed to settle the disputed boundary lines with the State of Connecticut.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Tuttle, from the committee on public printing, to which was referred the resolution to print extra copies of the Report of the State Survey, and Special Report on the Preservation of the Scenery of Niagara Falls, reported in favor of the adoption of the following resolution :

Resolved (if the Senate concur), That there be printed of the Fourth Report of the State Survey, and Special Report on the Preservation of the Scenery of Niagara Falls, 20 copies for each member, and 5 copies for each officer and reporter of the Legislature, and 1,000 copies for the Department of the State Survey, under the order of the Director of the State Survey.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

{ AYES 65 }
{ NOES 34 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|---------------|
| Alvord | Dougherty | Low | Shuit |
| Andrews | Duell | McAvoy | Sipp |
| Ash | Duguid | Miller | Sisson |
| Baker, C. S. | Fiske | Mitchell | Steele |
| Beates | Gibbs | Mooers | Strait |
| Benedict, E. D. | Gorsline | Newman | Tallmadge |
| Bennett | Gray | Nowlan | Terry |
| Bradley | Griggs | O'Connor | Tormey |
| Bredsky | Hayes | Phillips | Tuttle, R. M. |
| Bullock | Hurd | Potts | Varnum |
| Carpenter, E. A. | Husted | Roberts | Waterbury |
| Carpenter, I. S. | Ingersoll | Russell | Wells, D. A. |
| Chickering | Kennedy | Seeley | Wells, J. L. |
| Comstock | Lefever | Shanley | Wren |
| Congdon | Liddle | Sheridan | Youngs |
| Cookinham | Lindsay | Sherman | Mr. Speaker |
| Deane | | | |

Those who voted in the negative, were

| | | | |
|-----------------|----------|----------|-------------|
| Beach | Crapeer | Havens | Root |
| Benedict, T. E. | Cullinan | Hoffman | Skinner |
| Brennan | Curtis | Howland | Slingerland |
| Bridges | Douglass | McCabe | Terpeny |
| Case | Ellis | McTernan | Titus |
| Chamberlain | Evans | Nowlan | Travis |
| Childs | Ferris | Parker | Tully |
| Clark | Fish | Peck | Warner |
| Cohen | Hagan | | |

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Tuttle, from the committee on public printing, to which was referred the Senate resolution to print extra copies of the Annual Report of the Regents of the University, reported in favor of concurring in the adoption of the following resolution :

Resolved (if the Assembly concur), That there be printed, for the use of the Regents of the University, 1,000 extra copies of the Nine-

ty-third Annual Report of the said Regents, on fine paper and bound in cloth. All to be paid for according to the prices stipulated in the contract for extra copies.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

{ AYES 74 }
{ NOES 15 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Congdon | Lefever | Shanley |
| Andrews | Cookinham | Liddle | Sheridan |
| Ash | Cullinan | Lindsay | Sherman |
| Baker, B. F. | Curtis | Low | Shuit |
| Baker, C. S. | Deane | McAvoy | Sisson |
| Beach | Dougherty | McCabe | Skinner |
| Beates | Douglass | McTernan | Slingerland |
| Bennett | Duell | Miller | Steele |
| Bradley | Duguid | Mitchell | Tallmadge |
| Brennan | Evans | Newman | Terry |
| Bridges | Fish | O'Brien | Tormey |
| Bredsky | Fiske | Phillips | Travis |
| Bullock | Gorsline | Potter | Tuthill, H. H. |
| Carpenter, I. S. | Griggs | Potts | Tuttle, R. M. |
| Case | Hayes | Roberts | Waterbury |
| Chickering | Hoffman | Root | Wells, J. L. |
| Childs | Hurd | Russell | Wren |
| Clowes | Ingersoll | Seeley | Youngs |
| Comstock | Kennedy | | |

Those who voted in the negative, were

| | | | |
|-----------------|---------|---------|---------|
| Benedict, E. D. | Crapser | Parker | Terpeny |
| Benedict, T. E. | Ellis | Peck | Tully |
| Clark | Ferris | Pitcher | Warner |
| Cohen | Mooers | Rhodes | |

Ordered, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Russell offered for the consideration of the House a resolution in words following :

Resolved, That Senate bill No. 50, entitled "An act to regulate elections in the city of Brooklyn," as amended by the Assembly committee on affairs of cities, be printed for the information of the House.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker announced the special order of the day, being Assembly bills entitled as follows :

"An act in relation to the taxation of savings banks and institutions for savings."

"An act to provide for the taxation of life insurance companies."

The House then resolved itself into committee of the whole on the bills entitled as follows :

"An act in relation to the taxation of savings banks and institutions for savings."

"An act to provide for taxation of life insurance companies."

And after some time spent therein, Mr. Speaker resumed the chair,

and Mr. Low, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Low, from said committee, also reported in favor of the passage of the second named bill, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Speaker presented the following communication :

Hon. GEO. H. SHARPE, *Speaker* :

DEAR SIR—I hereby resign my position as general messenger and superintendent of the wrapping department of the Assembly to take effect on Tuesday the 27th inst.

Respectfully, yours,

JOHN D. CHRISTIE.

The chair appointed as general messenger W. L. Lloyd, vice John D. Christie resigned.

Mr. Speaker presented a communication from the Superintendent of Insurance in response to a resolution of the Assembly adopted last evening; which was laid on the table and ordered printed.

(See Doc. No. 127.)

By unanimous consent,

Mr. Hurd, from the committee on canals, to which was referred the bill introduced by Mr. C. S. Baker (introductory No. 1061), entitled "An act authorizing the Superintendent of Public Works to maintain that portion of the Genesee river feeder lying within the limits of the city of Rochester, in such condition that it shall not be detrimental to the public health," reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Hurd, from the committee on canals, to which was referred the bill introduced by Mr. B. F. Baker (introductory No. 796), entitled "An act to amend act chapter 337, Laws of 1864, entitled 'An act to facilitate the construction of water ways and to increase the facilities of navigation in the transportation of freight and passengers,'" reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to extend the term of office of the improvement commissioners in Long Island City, for the purpose of completing certain improvements heretofore authorized."

"An act to enable the electors of the town of Mayfield, Fulton county, N. Y., to vote by districts for town officers."

"An act to amend chapter 123 of the Laws of 1847, entitled 'An act authorizing the incorporation of rural cemetery associations,'" and the acts amendatory thereof.

"An act to amend chapter 628 of the Laws of 1866, entitled 'An act to amend the charter of the village of Nassau, in the county of Rensselaer.'"

"An act to amend chapter 184 of the Laws of 1839, entitled 'An act in relation to trusts for the benefit of the meetings of the religious Society of Friends.'"

"An act to incorporate the National Guard Mutual Relief Association of the State of New York."

"An act to authorize the Comptroller to compromise and settle claims against the sureties of the New York and Erie Bank of Buffalo."

"An act to amend chapter 611 of the Laws of 1875, entitled 'An act to provide for the organization and regulation of certain business corporations.'"

"An act to amend chapter 259 of the Laws of 1848, entitled 'An act to provide for the incorporation of bridge companies.'"

"An act entitled 'An act to regulate the licensing of physicians and surgeons.'"

"An act for the appointment of game and fish protectors."

"An act to authorize Keeseville union free school district No. 1, of the towns of Ausable and Chesterfield, to borrow money and issue bonds or certificates of indebtedness for the building and furnishing of a new school building, and the purchase of a site therefor."

"An act establishing the compensation of the county judge and surrogate of the county of Rockland."

"An act to repeal chapter 443 of the Laws of 1868, entitled 'An act to limit and define the powers and privileges of the Eureka Basin Warehouse and Manufacturing Company of Long Island.'"

"An act to incorporate the State Charities Aid Association."

"An act to permit and authorize the city of Albany to issue the bonds of said city for the payment of the expense of draining, grading, forming, paving and flagging a portion of South Pearl street in the city of Albany, and to extend the time of payment of the assessments therefor."

"An act to establish a special road district and to appropriate the highway taxes on the non-resident lands therein, for the construction of road from Blood's hotel, in Harrietstown, Franklin county, to Tupper's lake, in the county of Franklin."

"An act to authorize the Superintendent of Public Works to construct a lift, hoist, swing or draw bridge over the Erie canal, upon Genesee street in the city of Utica."

"An act to incorporate Excelsior Hose Company No. 1, of the village of Warwick, New York."

"An act to provide for the bringing of actions for relief in certain cases where agreements, contracts and instruments in writing have been recorded."

"An act in relation to the Rochester and Lake Ontario Railway Company, to confirm its present route and authorize said company to hold and improve the real estate now held and owned by said company."

"An act in relation to the village of Potsdam."

"An act to extend the definition of the crime of perjury, and for other purposes."

"An act to amend chapter 763 of the Laws of 1872, entitled 'An act to amend the charter of the village of Saratoga Springs.'"

"An act to amend chapter 287 of the Laws of 1879, entitled 'An act to provide for the formation of county and town co-operative insurance companies.'"

"An act in relation to the valuation of the property of the presi-

dent, managers, and company of the Delaware and Hudson Canal Company in school districts, for the purpose of taxation."

"An act to prevent any corporation, society, company or association from assuming the same or similar name or title of a corporation already in existence."

"An act to reduce the width of Riker avenue, in Long Island City, in the county of Queens, from 130 feet to 80 feet."

"An act to amend chapter 50 of the Laws of 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical, or chemical purposes.'"

"An act to amend chapter 163 of the Laws of 1873, entitled 'An act to organize and establish a police for the city of Yonkers.'"

A message was received from the Governor, in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }
ALBANY, April 27, 1880. }

To the Assembly:

In accordance with a joint resolution of the Senate and Assembly, herewith is returned, for amendment, Assembly bill entitled "An act to extend the time for the collection of taxes in the county of Richmond."

ALONZO B. CORNELL

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|---------------|
| Alvord | Curtis | Ingersoll | Seeley |
| Andrews | Deane | Kennedy | Shanley |
| Ash | Dougherty | Lefever | Sherman |
| Baker, B. F. | Douglass | Liddle | Shuit |
| Baker, C. S. | Duell | Low | Sipp |
| Beates | Duguid | McAvoy | Sisson |
| Bradley | Ellis | McCabe | Skinner |
| Brennan | Evans | Mead | Slingerland |
| Bridges | Ferris | Miller | Steele |
| Brodsky | Fish | Mitchell | Terpeny |
| Bullock | Fiske | Mooers | Terry |
| Carpenter, E. A. | Gibbs | Newman | Titus |
| Carpenter, I. S. | Gorsline | Nowlan | Travis |
| Case | Gray | Parker | Treanor |
| Catlin | Griggs | Peck | Tuttle, R. M. |
| Childs | Hagan | Phillips | Varnum |
| Clowes | Hayes | Potter | Walsh |
| Comstock | Hoffman | Potts | Wells, D. A. |
| Congdon | Howland | Root | Wells, J. L. |
| Cookinham | Hurd | Russell | Wren |
| Crapser | Husted | Sanders | Youngs |
| Cullinan | | | |

On motion of Mr. Fiske, and by unanimous consent, said bill was amended in words following:

Section 1, line 7, after the word "supervisor" insert "of the several towns respectively."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|-----------------|
| Alvord | Cookinham | Hoffman | Pitcher |
| Andrews | Crapser | Howland | Potter |
| Ash | Cullinan | Hurd | Potts |
| Baker, B. F. | Curtis | Ingersoll | Root |
| Baker, C. S. | Deane | Kennedy | Russell |
| Beates | Dougherty | Lefever | Seeley |
| Bridges | Douglass | Liddle | Shanley |
| Brodsky | Duell | Lindsay | Sherman |
| Bullock | Duguid | Low | Skinner |
| Carpenter, E. A. | Ellis | McAvoy | Slingerland |
| Carpenter, I. S. | Evans | McCabe | Terpeny |
| Case | Ferris | Mead | Terry |
| Catlin | Fish | Miller | Titus |
| Chamberlain | Fiske | Mitchell | Travis |
| Chase | Gibbs | Mooers | Tuttle, R. M. |
| Chickering | Gillette | Newman | Van Valkenburgh |
| Childs | Gorsline | Nowlan | Wells, J. L. |
| Clark | Gray | Parker | Wiley |
| Clowes | Griggs | Peck | Wren |
| Comstock | Hagan | Phillips | Youngs |
| Congdon | Hayes | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence the following resolution :

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill No. 202, entitled "An act to amend chapter 519 of the Laws of 1870, entitled 'An act to amend the charter of the city of Buffalo,'" for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate with a message informing of concurrence therein.

A message from the Senate was received in the words following :

IN SENATE, April 23, 1880.

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill entitled "An act in relation to highway labor and the construction of sidewalks in the village of Whitney's Point."

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. Halbert, and by unanimous consent, the same was amended as follows :

Strike out all after the enacting clause, and insert the following :

Section 1. Title 3 of chapter 291 of the Laws of 1870, entitled "An act for the incorporation of villages," is hereby amended by adding thereto an additional section to be numbered section 17, as follows :

§ 17. Whenever any person owning or occupying lands adjoining a highway, within the limits of any village incorporated under the provisions of this act, shall, with the consent of the trustees of such vil-

lage, or a majority of them, grade and flag or construct a stone sidewalk within such highway, along the line of such lands so owned or occupied by him, of the width of four or more feet, it shall be the duty of said trustees to examine the same when finished, and to credit such owner or occupant therefor so much on account of his assessment for the highway tax, in said village, as such trustees shall deem necessary to pay, not to exceed three-fourths of the actual and necessary expense of constructing such sidewalk, and to deliver to such owner or occupant their certificate of the amount of such credit; but such credit shall in no case be less than three dollars per lineal rod for the amount of said walk so constructed and finished. If said trustees find said walk, or walks, to be of less value than four dollars per lineal rod, then they are to give no credit whatever for the construction of the same.

The trustees of such village shall thereafter exempt the owner or occupant of such lands from all highway taxes in said village till the amount of such exemption shall be equal to the sum of the credit for which said certificate was allowed.

Section 2. This act shall take effect immediately.

Amend the title so as to read as follows :

"An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages.' "

And as amended passed, re-engrossed, and ordered sent to the Assembly for concurrence.

By order.

JOHN W. VROOMAN, *Clerk.*

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Curtis | Kennedy | Sheridan |
| Andrews | Deane | Lefever | Sherman |
| Baker, B. F. | Dougherty | Liddle | Shuit |
| Baker, C. S. | Douglass | Lindsay | Sipp |
| Beach | Duell | McAvoy | Sisson |
| Beates | Duguid | McCabe | Skinner |
| Bridges | Ellis | Mead | Slingerland |
| Bullock | Evans | Miller | Steele |
| Carpenter, E. A. | Ferris | Mitchell | Strait |
| Carpenter, I. S. | Fish | Mooers | Terpeny |
| Case | Fiske | Newman | Terry |
| Catlin | Gibbs | Nowlan | Thilemann |
| Chase | Gillette | O'Brien | Titus |
| Chickering | Gorsline | Parker | Travis |
| Childs | Gray | Peck | Tully |
| Clark | Griggs | Potts | Tuttle, R. M. |
| Clowes | Hayes | Rhodes | Van Valkenburgh |
| Comstock | Hoffman | Root | Walsh |
| Congdon | Howland | Russell | Wells, J. L. |
| Cookinham | Hurd | Sanders | Wren |
| Crapser | Husted | Seeley | Youngs |
| Cullinan | Ingersoll | Shanley | |

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|-----------------|
| Alvord | Clowes | Hayes | O'Connor |
| Andrews | Cohen | Hoffman | Parker |
| Ash | Comstock | Howland | Phillips |
| Baker, B. F. | Congdon | Husted | Root |
| Baker, C. S. | Crapser | Ingersoll | Russell |
| Beach | Cullinan | Kennedy | Sanders |
| Beates | Curtis | Lefever | Seeley |
| Benedict, E. D. | Deane | Liddle | Sherman |
| Bradley | Dougherty | Low | Skinner |
| Brennan | Douglass | McAvoy | Steele |
| Bridges | Duell | McCabe | Terpeny |
| Bullock | Duguid | Mead | Terry |
| Carpenter, E. A. | Ellis | Miller | Titus |
| Carpenter, I. S. | Evans | Mitchell | Tully |
| Case | Ferris | Mooers | Tuttle, R. M. |
| Catlin | Fish | Morgan | Van Valkenburgh |
| Chamberlain | Gillette | Newman | Wells, J. L. |
| Childs | Gorsline | Nowlan | Wiley |
| Clancy | Gray | O'Brien | Wren |
| Clark | Griggs | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

A message from the Senate was received and read informing of concurrence in the passage of the following resolution :

Resolved (if the Senate concur), That a respectful message be sent to the Governor, for the return of Assembly bill No. 54, entitled "An act to incorporate the Public Exchange, passed April 22, 1868," for amendment.

Ordered, That the Clerk deliver said resolution to the Governor.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act to establish a Civil Code."

"An act to establish a Penal Code."

"An act to establish a Code of Criminal Procedure."

The hour of two having arrived, the House took a recess until 4 P. M.

FOUR O'CLOCK, P. M.

The House again met.

By unanimous consent,

Mr. Mitchell introduced a bill entitled "An act to amend an act entitled 'An act relative to the Farmers' Loan and Trust Company,'" passed April 30, 1875, which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Gwinup introduced a bill entitled "An act to provide uniform fees for the sheriffs of the several counties of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Cookinham introduced a bill entitled "An act to amend section 4 of chapter 381 of the Laws of 1875, entitled 'An act supplemental to an act entitled 'An act to provide for the incorporation of religious societies,' passed April 5, 1813, and the several acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Indefinite leave of absence was granted to Mr. Morgan.

By unanimous consent,

Mr. Curtis, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Benedict (introductory No. 1094), entitled "An act to amend an act authorizing the incorporation of rural cemeteries, passed April 27, 1847," reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole. Mr. Curtis dissenting.

Mr. Speaker directed the Clerk to call the roll of members to ascertain if a quorum of members was present, and the following members answered to their names :

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Crapser | Lefever | Sherman |
| Baker, C. S. | Cullinan | Lindsay | Shuit |
| Beach | Curtis | Low | Sipp |
| Beates | Deane | McAvoy | Sisson |
| Benedict, E. D. | Dougherty | McCarthy | Skinner |
| Bennett | Douglass | Mead | Slingerland |
| Bradley | Duell | Mitchell | Strait |
| Bridges | Evans | Mooers | Tallmadge |
| Brodsky | Ferris | Nowlan | Terry |
| Bullock | Fish | O'Brien | Titus |
| Carpenter, E. A. | Gillette | O'Connor | Travis |
| Catlin | Griggs | Parker | Treanor |
| Chamberlain | Gwinup | Peck | Tuthill, H. H. |
| Childs | Hagan | Phillips | Tuttle, R. M. |
| Clancy | Havens | Potts | Walsh |
| Clark | Hoffman | Rhodes | Waterbury |
| Cohen | Howland | Root | Wells, J. L. |
| Comstock | Hurd | Russell | Wren |
| Congdon | Kennedy | Shanley | Mr. Speaker. |
| Cookinham | | | |

A quorum being present,

Pursuant to the 9th joint rule, Mr. Speaker announced the order of business, third reading of bills.

The bill entitled "An act to establish and maintain a police force in the city of Troy," being announced for a third reading,

Mr. Terry moved the previous question.

Mr. Speaker put the question "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Rhodes moved to reconsider the vote by which said previous question was carried.

Mr. Terry withdrew the motion for the previous question.

Mr. Terry moved to have said bill laid aside.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Russell moved to lay said order of business on the table for the purpose of taking up the special order of the day.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Speaker then stated the special order of the day, being Senate bill entitled "An act to provide for the creation of a board of charities and corrections of the county of Kings, and for the appointment of the commissioners thereof and their subordinates."

The House then resolved itself into a committee of the whole on the bill entitled as follows:

Senate, "An act to provide for the creation of a board of charities and corrections of the county of Kings, and for the appointment of the commissioners thereof and their subordinates."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Comstock, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Russell moved to discharge the committee of the whole from the further consideration of said bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

{ AYES 69 }
{ NOES 29 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|----------------|
| Alvord | Comstock | Husted | Russell |
| Andrews | Congdon | Ingersoll | Seeley |
| Baker, C. S. | Cookinham | Kennedy | Sheridan |
| Beach | Crapser | Lefever | Shuit |
| Beates | Cullinan | Liddle | Sipp |
| Bradley | Curtis | Lindsay | Sisson |
| Brennan | Deane | Low | Skinner |
| Bridges | Douglass | Mitchell | Steele |
| Brodsky | Duell | Mooers | Terry |
| Bullock | Ferris | Morgan | Travis |
| Carpenter, E. A. | Ellis | Nowlan | Tuthill, H. H. |
| Carpenter, I. S. | Fiske | Peck | Tuttle, R. M. |
| Case | Gillette | Phillips | Varnum |
| Chamberlain | Gorsline | Pitcher | Waterbury |
| Chickering | Griggs | Potter | Wells, D. A. |
| Childs | Hayes | Potts | Wells, J. L. |
| Clark | Howland | Root | Wren |
| Clowes | | | |

Those who voted in the negative, were

| | | | |
|-----------------|----------|----------|-----------|
| Benedict, T. E. | Gibbs | Mead | Tallmadge |
| Bennett | Hagan | Newman | Terpeny |
| Catlin | Havens | O'Connor | Thilemann |
| Clancy | Hoffman | Parker | Tormey |
| Cohen | McAvoy | Rhodes | Treanor |
| Cushing | McDonald | Shanley | Tully |
| Dougherty | McTernan | Strait | Walsh |
| Ellis | | | |

Mr. Russell moved that said bill do now have its third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

{ AYES 77 }
{ NOES 30 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Cookinham | Kennedy | Seeley |
| Andrews | Crapser | Lefever | Sheridan |
| Baker, C. S. | Cullinan | Liddle | Sherman |
| Beach | Curtis | Lindsay | Shuit |
| Beates | Deane | Low | Sipp |
| Bradley | Douglass | Miller | Sisson |
| Brennan | Duell | Mitchell | Skinner |
| Bridges | Ferris | Mooers | Slingerland |
| Brodsky | Fish | Morgan | Steele |
| Bullock | Fiske | Nowlan | Terry |
| Carpenter, E. A. | Gillette | O'Brien | Travis |
| Carpenter, I. S. | Gorsline | Peck | Tuthill, H. H. |
| Chamberlain | Gray | Phillips | Tuttle, R. M. |
| Chase | Griggs | Pitcher | Varnum |
| Chickering | Hayes | Potter | Waterbury |
| Childs | Howland | Potts | Wells, D. A. |
| Clark | Hurd | Root | Wells, J. L. |
| Clowes | Husted | Russell | Wren |
| Comstock | Ingersoll | Sanders | Youngs |
| Congdon | | | |

Those who voted in the negative, were

| | | | |
|-----------------|----------|----------|-----------|
| Benedict, E. D. | Ellis | McTernan | Strait |
| Benedict, T. E. | Gibbs | Mead | Terpeny |
| Bennett | Hagan | Newman | Thilemann |
| Catlin | Havens | O'Connor | Tormey |
| Clancy | Hoffman | Parker | Treanor |
| Cohen | McAvoy | Rhodes | Tully |
| Cushing | McCarthy | Shanley | Walsh |
| Dougherty | McDonald | | |

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 76 }
{ NOES 28 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Cookinham | Kennedy | Seeley |
| Andrews | Crapser | Lefever | Sheridan |
| Baker, C. S. | Cullinan | Liddle | Sherman |
| Beach | Curtis | Lindsay | Shuit |
| Beates | Deane | Low | Sipp |
| Bradley | Douglass | McCabe | Sisson |
| Brennan | Duell | Miller | Skinner |
| Bridges | Ferris | Mitchell | Slingerland |
| Brodsky | Fish | Mooers | Steele |
| Bullock | Fiske | Morgan | Terry |
| Carpenter, E. A. | Gillette | Nowlan | Travis |
| Carpenter, I. S. | Gorsline | Peck | Tuthill, H. H. |

| | | | |
|-------------|-----------|----------|---------------|
| Case | Gray | Phillips | Tuttle, R. M. |
| Chamberlain | Griggs | Pitcher | Varnum |
| Chickering | Hayes | Potter | Waterbury |
| Clark | Howland | Potts | Wells, D. A. |
| Clowes | Hurd | Root | Wells, J. L. |
| Comstock | Husted | Russell | Wren |
| Congdon | Ingersoll | Sanders | Youngs |

Those who voted in the negative, were

| | | | |
|-----------------|-----------|----------|-----------|
| Benedict, E. D. | Dougherty | McCarthy | Strait |
| Benedict, T. E. | Ellis | McDonald | Terpeny |
| Bennett | Gibbs | McTernan | Thilemann |
| Catlin | Hagan | Mead | Torney |
| Clancy | Havens | Newman | Treanor |
| Cohen | Hoffman | Rhodes | Tully |
| Cushing | McAvoy | Shanley | Walsh |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Sherman offered for the consideration of the House a privileged resolution in the words following:

Resolved, That the vote by which Assembly bill No. 669, general orders No. 788, entitled "An act to regulate the dimensions and measurement of apple barrels," was ordered to a third reading be reconsidered and the same be recommitted to the committee of the whole.

After debate,

Mr. Alvord moved the previous question.

Mr. Speaker put the question, "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was ordered to a third reading, and it was determined in the negative.

{ AYES 48 }
{ NOES 55 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|-----------|---------------|
| Andrews | Congdon | Ingersoll | Potts |
| Ash | Cullinan | Kennedy | Root |
| Baker, B. F. | Curtis | Lefever | Russell |
| Beach | Ferris | Liddle | Seeley |
| Bradley | Fish | Low | Sherman |
| Brennan | Fiske | McCabe | Sisson |
| Bridges | Griggs | Miller | Slingerland |
| Bullock | Gwinup | Morgan | Strait |
| Carpenter, I. S. | Havens | O'Brien | Titus |
| Case | Hoffman | Parker | Travis |
| Childs | Howland | Phillips | Tuttle, R. M. |
| Clark | Hurd | Potter | Youngs |

Those who voted in the negative, were

| | | | |
|------------------|-----------|----------|-----------|
| Alvord | Cushing | McTernan | Tallmadge |
| Baker, C. S. | Dougherty | Mead | Terpeny |
| Benedict, E. D. | Douglars | Mitchell | Terry |
| Benedict, T. E. | Ellis | Mooers | Thilemann |
| Bennett | Gibbs | Newman | Torney |
| Brodsky | Gorsline | O'Connor | Treanor |
| Carpenter, E. A. | Gray | Peck | Tully |

| | | | |
|------------|----------|----------|-----------------|
| Catlin | Hagan | Pitcher | Van Valkenburgh |
| Chickering | Hayes | Rhodes | Varnum |
| Clancy | Husted | Sanders | Walsh |
| Clowes | Lindsay | Shanley | Waterbury |
| Cohen | McAvoy | Sheridan | Wells, J. L. |
| Cookinham | McCarthy | Shuit | Wren |
| Crapser | McDonald | Skinner | |

A message from the Senate was received and read, informing of concurrence in the passage of the bill entitled as follows:

"An act in relation to the duties of supervisors for the town of Saratoga Springs."

Ordered. That the Clerk deliver said bill to the Governor.

Messrs. Deane and Treanor presented petitions asking for the enactment into laws of the bills recommended by the Hepburn Legislative committee; which were read and referred to the committee on railroads.

The hour of six having arrived, the House adjourned.

WEDNESDAY MORNING, APRIL 28, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Thos. Bickford, of West Troy.

The journal of yesterday was read and approved.

By unanimous consent,

Mr. Wells offered for the consideration of the House a resolution in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of Assembly bill No. 738, general orders No. 882, entitled "An act to amend chapter 409 of the Laws of 1879, entitled 'An act to extend the time for the organization of the Centennial Insurance Company of New York,'" and that the same be ordered to a third reading.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker directed the Clerk to call the roll of members and ascertain if a quorum was present, and the following members answered to their names:

| | | | |
|------------------|----------|----------|----------------|
| Alvord | Cushing | Lindsay | Sipp |
| Andrews | Davis | Low | Sisson |
| Ash | Deane | McAvoy | Skinner |
| Beates | Douglass | McCabe | Strait |
| Benedict, E. D. | Duell | McTernan | Tallmadge |
| Benedict, T. E. | Ellis | Mead | Terpeny |
| Bradley | Evans | Miller | Terry |
| Bridges | Ferris | Mooers | Titus |
| Brodsky | Fish | Morgan | Tozier |
| Bullock | Fiske | Newman | Travis |
| Carpenter, E. A. | Gorsline | Parker | Treanor |
| Carpenter, I. S. | Gray | Peck | Tully |
| Chamberlain | Griggs | Phillips | Tuthill, H. H. |
| Chickering | Gwinup | Pitcher | Tuttle, R. M. |
| Childs | Havens | Potts | Waterbury |
| Comstock | Hoffman | Rhodes | Wells, D. A. |
| Congdon | Howland | Root | Wells, J. L. |

| | | | |
|-----------|-----------|----------|-------------|
| Cookinham | Hurd | Russell | Wren |
| Crapser | Ingersoll | Seeley | Youngs |
| Cullinan | Kennedy | Sheridan | Mr. Speaker |
| Curtis | Lefever | Shuit | |

A quorum being present.

Pursuant to the ninth joint rule, Mr. Speaker announced the order of business, third reading of bills.

The bill entitled "An act to establish and maintain a police force in the city of Troy," being announced for a third reading,

Mr. Rhodes moved to recommit said bill to the committee on cities with instructions to amend said bill in words following, and report forthwith:

Amend section 4 by adding at the end of line 18 "The mayor of the city of Troy shall be *ex officio* a member of said board of police commissioners."

Substitute for section 4 the following:

§ 4. There shall be nominated by the mayor, and confirmed by the common council, at the first regular meeting of said common council, after the passage of this act, four persons as police commissioners of the city of Troy; two to hold office for the term of two years, and two to hold office for the term of four years. And there shall be nominated by the mayor, and confirmed by the common council, every two years after the nomination and confirmation aforesaid two persons as police commissioners to fill the office of the two commissioners whose term of office shall expire, and thereafter the term of office of the said police commissioners shall be for four years. In case of vacancy in said board of police commissioners by death, resignation or removal from office, the same shall be filled in the same manner as aforesaid. No member of the common council shall eligible to the office of police commissioner.

Section 13, after the word "number" in line 4, insert "except by special direction of the common council."

Amend section 15, line 9, by striking out the words "eight hundred and fifty and insert "one thousand."

Amend section 40 by striking out all the balance of the section, commencing and including line 18 on pages 19 and 20.

After debate,

Mr. Terry moved the previous question.

Mr. Speaker put the question, "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Rhodes called for a division of the question.

Mr. Speaker put the question whether the House would agree to the first member of the amendment, relating to the mayor of the city of Troy, as an *ex officio* member of said police board, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to the second member of said amendment, and it was determined in the negative.

{ AYES 24 }
{ NOES 67 }

Those who voted in the affirmative, were

| | | | |
|-----------------|--------|----------|---------|
| Benedict, E. D | Gibbs | Mead | Shanley |
| Benedict, T. E. | Gwinup | Newman | Strait |
| Catlin | Havens | O'Connor | Terpeny |

| | | | |
|---------|----------|--------|-----------|
| Clancy | Hoffman | Parker | Thilemann |
| Cushing | McAvoy | Rhodes | Treanor |
| Ellis | McTernan | Seeley | Tully |

Those who voted in the negative, were

| | | | |
|------------------|-----------|-----------|-----------------|
| Ash | Congdon | Ingersoll | Sipp |
| Baker, B. F. | Cookinham | Kennedy | Sisson |
| Baker, C. S. | Crapser | Lefever | Skinner |
| Beates | Cullinan | Liddle | Slingerland |
| Bradley | Curtis | Lindsay | Steele |
| Brennan | Davis | Low | Terry |
| Bridges | Deane | Miller | Titus |
| Brodsky | Douglass | Mitchell | Tozier |
| Carpenter, E. A. | Duell | Mooers | Travis |
| Carpenter, I. S. | Duguid | Morgan | Tuthill, H. H. |
| Case | Evans | O'Brien | Van Valkenburgh |
| Chamberlain | Ferris | Peck | Varnum |
| Chase | Fish | Phillips | Warner |
| Chickering | Gorsline | Potts | Waterbury |
| Childs | Gray | Roberts | Wells, J. L. |
| Clowes | Griggs | Root | Wren |
| Comstock | Hurd | Russell | |

Mr. Speaker put the question whether the House would agree to the third member of said amendment, in words following: "Section 15, line 9, strike out the words 'eight hundred and fifty' and insert 'one thousand,'" and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the remainder of said amendment, and it was determined in the negative.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }
{ NOES 22 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|----------------|
| Andrews | Cookinham | Ingersoll | Shuit |
| Ash | Crapser | Kennedy | Sipp |
| Baker, B. F. | Cullinan | Lefever | Sisson |
| Baker, C. S. | Curtis | Liddle | Skinner |
| Beach | Davis | Lindsay | Steele |
| Beates | Deane | Low | Tallmadge |
| Bradley | Douglass | McCabe | Terry |
| Brennan | Duell | Miller | Titus |
| Bridges | Duguid | Mitchell | Tozier |
| Brodsky | Evans | Mooers | Travis |
| Bullock | Ferris | Morgan | Tuthill, H. H. |
| Carpenter, E. A. | Fish | O'Brien | Tuttle, R. M. |
| Carpenter, I. S. | Fiske | Peck | Varnum |
| Case | Gillette | Phillips | Warner |
| Chamberlain | Gorsline | Pitcher | Waterbury |
| Chase | Gray | Potter | Wells, D. A. |
| Chickering | Griggs | Potts | Wells, J. L. |
| Childs | Hayes | Root | Wren |
| Clowes | Howland | Russell | Youngs |
| Comstock | Hurd | Sherman | Mr. Speaker |
| Congdon | Husted | | |

Those who voted in the negative, were

| | | | |
|-----------------|-----------|----------|---------|
| Alvord | Cushing | McAvoy | Rhodes |
| Benedict, E. D. | Dougherty | McTernan | Seeley |
| Benedict, T. E. | Ellis | Mead | Shanley |
| Catlin | Gibbs | Newman | Terpeny |
| Claney | Gwinup | Parker | Treanor |
| Cohen | Hoffman | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Treanor offered for the consideration of the House a resolution in the words following :

Resolved, That Assembly bill No. 560, entitled "An act relative to certain improvements in the city of New York," be recommitted to the committee of the whole.

After debate,

Mr. Alvord moved the previous question.

Mr. Speaker put the question, "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Treanor, and it was determined in the affirmative.

{ AYES 62 }
{ NOES 33 }

Those who voted in the affirmative, were

| | | | |
|-----------------|----------|----------|-----------------|
| Andrews | Ellis | McTernan | Skinner |
| Benedict, E. D. | Fish | Mead | Slingerland |
| Benedict, T. E. | Fiske | Miller | Steele |
| Bennett | Gibbs | Mitchell | Terpeny |
| Bradley | Gorsline | Newman | Thilemann |
| Case | Gray | O'Brien | Tozier |
| Catlin | Gwinup | O'Connor | Travis |
| Chamberlain | Hagan | Parker | Treanor |
| Chickering | Havens | Peck | Tully |
| Claney | Hoffman | Phillips | Tuthill, H. H. |
| Cohen | Howland | Rhodes | Van Valkenburgh |
| Congdon | Kennedy | Sanders | Warner |
| Crapsier | Liddle | Shanley | Waterbury |
| Cushing | McAvoy | Sheridan | Wren |
| Dougherty | McCarthy | Shuit | Youngs |
| Duell | McDonald | | |

Those who voted in the negative, were

| | | | |
|------------------|--------|-----------|---------------|
| Alvord | Chase | Hurd | Root |
| Baker, B. F. | Childs | Husted | Russell |
| Baker, C. S. | Clowes | Ingersoll | Seeley |
| Beach | Davis | McCabe | Sisson |
| Beates | Deane | Mooers | Terry |
| Brennan | Evans | Morgan | Tuttle, R. M. |
| Bullock | Ferris | Potter | Varnum |
| Carpenter, E. A. | Hayes | Potts | Wells, J. L. |
| Carpenter, I. S. | | | |

Mr. Hayes moved to lay said order of business on the table, for the purpose of taking up order of business general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

The bill entitled "An act to establish a Civil Code," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }
{ NOES 14 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Andrews | Dougherty | McCabe | Sherman |
| Baker, C. S. | Douglass | McDonald | Sipp |
| Beach | Duell | McTernan | Sisson |
| Benedict, E. D. | Evans | Miller | Skinner |
| Bradley | Ferris | Mitchell | Steele |
| Brennan | Fish | Mooers | Terry |
| Brodsky | Gibbs | Morgan | Titus |
| Carpenter, I. S. | Gorsline | Newman | Tozier |
| Case | Gray | O'Brien | Travis |
| Catlin | Gwinup | O'Connor | Treanor |
| Chamberlain | Howland | Peck | Tully |
| Clancy | Hurd | Pitcher | Tuttle, R. M. |
| Clowes | Husted | Potts | Van Valkenburgh |
| Congdon | Ingersoll | Rhodes | Walsh |
| Cookinham | Kennedy | Root | Warner |
| Crapser | Lefever | Russell | Waterbury |
| Cullinan | Liddle | Sanders | Wells, J. L. |
| Curtis | Lindsay | Seeley | Wren |
| Davis | Low | Shanley | Youngs |
| Deane | McAvoy | Sheridan | |

Those who voted in the negative, were

| | | | |
|------------------|--------|---------|-------------|
| Alvord | Cohen | Hoffman | Shuit |
| Bridges | Ellis | Mead | Slingerland |
| Bullock | Hagan | Potter | Varnum |
| Carpenter, E. A. | Havens | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to establish a Code of Criminal Procedure," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }
{ NOES 6 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|----------|-----------|
| Andrews | Davis | McCabe | Shuit |
| Baker, C. S. | Deane | Mead | Sipp |
| Beach | Douglass | Miller | Sisson |
| Benedict, E. D. | Duell | Mitchell | Skinner |
| Bradley | Evans | Mooers | Steele |
| Brennan | Ferris | Morgan | Tallmadge |
| Bridges | Fish | Newman | Terpeny |
| Brodsky | Fiske | Parker | Terry |
| Carpenter, I. S. | Gray | Peck | Titus |
| Case | Griggs | Phillips | Tozier |
| Chamberlain | Gwinup | Pitcher | Travis |

| | | | |
|------------|-----------|---------|-----------------|
| Chase | Hayes | Potts | Tully |
| Chickering | Howland | Rhodes | Tuttle, R. M. |
| Clowes | Ingersoll | Root | Van Valkenburgh |
| Congdon | Kennedy | Russell | Warner |
| Cookinham | Lefever | Sanders | Waterbury |
| Crapser | Liddle | Seeley | Wells, J. L. |
| Cullinan | Lindsay | Shanley | Wren |
| Curtis | Low | Sherman | Youngs |
| Cushing | | | |

Those who voted in the negative, were

| | | | |
|------------------|---------|--------|-------|
| Alvord | Cohen | Potter | Walsh |
| Carpenter, E. A. | Hoffman | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to establish a Penal Code," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 71 }
{ NOES 14 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Andrews | Davis | McCabe | Sisson |
| Baker, C. S. | Dougherty | McCarthy | Skinner |
| Beach | Duell | Miller | Steele |
| Benedict, E. D. | Evans | Mitchell | Tallmadge |
| Bradley | Ferris | Mooers | Terpeny |
| Brennan | Fish | Morgan | Terry |
| Bridges | Gorsline | Peck | Titus |
| Brodsky | Gray | Phillips | Tozier |
| Carpenter, I. S. | Griggs | Pitcher | Travis |
| Case | Gwinup | Potts | Treanor |
| Chamberlain | Howland | Rhodes | Tully |
| Childs | Hurd | Root | Tuttle, R. M. |
| Clowes | Husted | Russell | Van Valkenburgh |
| Congdon | Ingersoll | Sanders | Warner |
| Cookinham | Kennedy | Seeley | Waterbury |
| Crapser | Lefever | Sheridan | Wells, J. L. |
| Cullinan | Liddle | Sherman | Youngs |
| Curtis | Low | Sipp | |

Those who voted in the negative, were

| | | | |
|------------------|---------|----------|--------|
| Alvord | Ellis | O'Connor | Shuit |
| Carpenter, E. A. | Havens | Potter | Varnum |
| Chickering | Hoffman | Shanley | Walsh |
| Cohen | Mead | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the relief of Bridget Gray, of the city of Albany, widow of Samuel Gray, late of the city of Albany, county of Albany, and State of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 90 }
{ NOES 5 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Curtis | Kennedy | Sheridan |
| Andrews | Cushing | Lefever | Sherman |
| Baker, B. F. | Davis | Liddle | Sipp |
| Baker, C. S. | Deane | Low | Sisson |
| Beach | Dougherty | McCabe | Skinner |
| Benedict, E. D. | Douglass | McCarthy | Slingerland |
| Benedict, T. E. | Duell | McDonald | Steele |
| Brennan | Ellis | Mead | Terpeny |
| Bridges | Ferris | Miller | Terry |
| Brodsky | Fish | Mooers | Titus |
| Carpenter, E. A. | Fiske | Morgan | Tozier |
| Carpenter, I. S. | Gillette | Newman | Travis |
| Case | Gorsline | O'Connor | Treanor |
| Catlin | Gray | Parker | Tully |
| Chase | Griggs | Peck | Tuttle, R. M. |
| Chickering | Gwinup | Phillips | Van Valkenburgh |
| Claney | Hagan | Potts | Walsh |
| Clowes | Havens | Rhodes | Waterbury |
| Cohen | Hayes | Root | Wells, D. A. |
| Congdon | Hoffman | Sanders | Wells, J. L. |
| Cookinham | Howland | Seeley | Wiley |
| Crapser | Husted | Shanley | Youngs |
| Cullinan | Ingersoll | | |

Those who voted in the negative, were

| | | | |
|---------|----------|---------|--------|
| Bradley | Mitchell | Pitcher | Warner |
| Evans | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Assembly bill entitled "An act to release the right, title and interest of the people of the State of New York of, in and to certain real estate of which George Johnson died seized to Catharine Johnson, his widow, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------|
| Alvord | Davis | Liddle | Shanley |
| Andrews | Deane | Lindsay | Sheridan |
| Baker, B. F. | Dougherty | Low | Sherman |
| Baker, C. S. | Douglass | McCabe | Shuit |
| Beach | Duell | McCarthy | Sisson |
| Benedict, E. D. | Ellis | Mead | Skinner |
| Benedict, T. E. | Evans | Miller | Steele |
| Bennett | Ferris | Mitchell | Strait |
| Brennan | Fish | Mooers | Tallmadge |
| Bridges | Fiske | Morgan | Terpeny |
| Brodsky | Gillette | Newman | Terry |
| Carpenter, I. S. | Gorsline | O'Connor | Titus |
| Case | Gray | Parker | Tozier |
| Catlin | Griggs | Peck | Travis |
| Chamberlain | Gwinup | Phillips | Tully |

| | | | |
|------------|-----------|---------|----------------|
| Chase | Havens | Pitcher | Tuthill, H. H. |
| Chickering | Hayes | Potter | Tuttle, R. M. |
| Childs | Hoffman | Potts | Waterbury |
| Clowes | Howland | Rhodes | Wells, D. A. |
| Cohen | Hurd | Root | Wells, J. L. |
| Congdon | Husted | Russell | Wiley |
| Cookinham | Ingersoll | Sanders | Wren |
| Cullinan | Kennedy | Seeley | Youngs |
| Cushing | Lefever | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to release to Louisa Dodge, Charles Dodge, Edward Dodge, William J. Dodge, and Elizabeth King, wife of William King, the interest of the People of the State of New York in and to certain real estate in the village of Gloversville, county of Fulton, of which Charles Dodge died seized," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|---------------|
| Alvord | Cookinham | Ingersoll | Root |
| Andrews | Crapsier | Kennedy | Sanders |
| Baker, B. F. | Cullinan | Lefever | Seeley |
| Baker, C. S. | Davis | Liddle | Shanley |
| Beach | Deane | Lindsay | Sheridan |
| Benedict, E. D. | Dougherty | Low | Sherman |
| Benedict, T. E. | Douglass | McCabe | Shrfit |
| Bennett | Duell | McCarthy | Sisson |
| Bradley | Ellis | McDonald | Skinner |
| Brennan | Evans | Mead | Steele |
| Bridges | Ferris | Miller | Tallmadge |
| Brodsky | Fish | Mitchell | Terry |
| Bullock | Fiske | Mooers | Titus |
| Carpenter, E. A. | Gillette | Morgan | Tozier |
| Carpenter, I. S. | Gorsline | Newman | Travis |
| Case | Gray | O'Brien | Tully |
| Catlin | Griggs | O'Connor | Tuttle, R. M. |
| Chamberlain | Gwinup | Parker | Waterbury |
| Chase | Havens | Phillips | Wells, D. A. |
| Chickering | Hayes | Pitcher | Wells, J. L. |
| Childs | Hoffman | Potter | Wiley |
| Cohen | Howland | Potts | Wren |
| Comstock | Hurd | Rhodes | Youngs |
| Congdon | Husted | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the valuation of the property of the president, managers, and company of the Delaware and Hudson Canal Company in school districts, for the purpose of taxation," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative,

a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|----------------|
| Alvord | Congdon | Ingersoll | Seeley |
| Andrews | Crapser | Kennedy | Shanley |
| Ash | Cullinan | Lefever | Sheridan |
| Baker, B. F. | Curtis | Liddle | Sherman |
| Baker, C. S. | Davis | Low | Shuit |
| Beach | Deane | McAvoy | Sisson |
| Benedict, E. D. | Dougherty | McCabe | Skinner |
| Benedict, T. E. | Douglass | McCarthy | Slingerland |
| Bennett | Ellis | McDonald | Steele |
| Bradley | Evans | McTernan | Tallmadge |
| Brennan | Ferris | Mead | Terpeny |
| Bullock | Fish | Miller | Terry |
| Carpenter, E. A. | Fiske | Mooers | Titus |
| Carpenter, I. S. | Gillette | Morgan | Tozier |
| Case | Gorsline | Newman | Tully |
| Catlin | Gray | O'Connor | Tuthill, H. H. |
| Chamberlain | Griggs | Parker | Tuttle, R. M. |
| Chase | Gwinup | Phillips | Waterbury |
| Chickering | Havens | Pitcher | Wells, D. A. |
| Childs | Hayes | Potts | Wells, J. L. |
| Clowes | Hoffman | Rhodes | Wren |
| Cohen | Howland | Root | Youngs |
| Comstock | Husted | Russell | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to reduce the width of Riker avenue, in Long Island City, in the county of Queens, from 130 feet to 80 feet," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|-----------|
| Alvord | Congdon | Husted | Sanders |
| Andrews | Crapser | Ingersoll | Seeley |
| Ash | Cullinan | Kennedy | Shanley |
| Baker, B. F. | Curtis | Lefever | Sheridan |
| Baker, C. S. | Davis | Liddle | Sherman |
| Beach | Deane | Lindsay | Shuit |
| Benedict, E. D. | Dougherty | Low | Sipp |
| Benedict, T. E. | Douglass | McCabe | Sisson |
| Bennett | Duell | McCarthy | Skinner |
| Brennan | Ellis | McDonald | Steele |
| Bridges | Evans | McTernan | Tallmadge |
| Brodsky | Ferris | Miller | Terpeny |
| Bullock | Fish | Mooers | Terry |
| Carpenter, E. A. | Fiske | Morgan | Titus |
| Carpenter, I. S. | Gillette | Newman | Tozier |
| Case | Gorsline | O'Brien | Travis |

| | | | |
|-------------|---------|----------|---------------|
| Catlin | Gray | Parker | Tuttle, R. M. |
| Chamberlain | Griggs | Phillips | Waterbury |
| Chase | Gwinup | Pitcher | Wells, D. A. |
| Chickering | Havens | Potts | Wells, J. L. |
| Cleaves | Hayes | Rhodes | Wiley |
| Cohen | Hoffman | Root | Wren |
| Cornstock | Howland | Russell | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 319 of the Laws of 1848, entitled 'An act for the incorporation of benevolent, charitable, scientific and missionary societies,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 16 }
{ NOES 58 }

Those who voted in the affirmative, were

| | | | |
|-----------------|---------|----------|--------|
| Ash | Deane | McCarthy | Tozier |
| Beach | Ferris | O'Connor | Tully |
| Benedict, E. D. | Hagan | Shanley | Walsh |
| Clancy | Howland | Sheridan | Youngs |

Those who voted in the negative, were

| | | | |
|------------------|----------|----------|----------------|
| Alvord | Crapser | McCabe | Shuit |
| Andrews | Curtis | Miller | Sisson |
| Baker, B. F. | Cushing | Mitchell | Skinner |
| Baker, C. S. | Davis | Moors | Steele |
| Benedict, T. E. | Ellis | Morgan | Terpeny |
| Bradley | Evans | O'Brien | Terry |
| Bridges | Fish | Parker | Titus |
| Brodsky | Gillette | Phillips | Tuthill, H. H. |
| Bullock | Gorsline | Potter | Tuttle, R. M. |
| Carpenter, E. A. | Gwinup | Rhodes | Varnum |
| Carpenter, I. S. | Havens | Root | Warner |
| Chickering | Hoffman | Russell | Waterbury |
| Childs | Kennedy | Seeley | Wells, J. L. |
| Cohen | Lefever | Sherman | Mr. Speaker |
| Cookinham | Low | | |

Mr. C. S. Baker moved to reconsider the vote by which said bill was lost, and that the motion do lay upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Titus, from the sub-committee of the whole, presented a report from said committee, which was laid on the table and ordered printed.
(See Doc. No. 125.)

The bill entitled "An act to repeal chapter 458 of the Laws of 1871, entitled 'An act to provide for the extension of the Rondout and Oswego railroad to the east bank of the Hudson river and to establish a ferry over said river,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 83 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Clowes | McCabe | Skinner |
| Andrews | Congdon | Miller | Slingerland |
| Ash | Curtis | Mitchell | Steele |
| Baker, B. F. | Cushing | Mooers | Strait |
| Baker, C. S. | Davis | Morgan | Tallmadge |
| Beach | Duell | O'Brien | Terpeny |
| Beates | Evans | O'Connor | Terry |
| Benedict, T. E. | Gorsline | Parker | Travis |
| Bradley | Gray | Phillips | Treanor |
| Brennan | Griggs | Pitcher | Tuthill, H. H. |
| Bridges | Gwinup | Potter | Tuttle, R. M. |
| Brodsky | Hagan | Potts | Van Valkenburgh |
| Bullock | Havens | Rhodes | Varnum |
| Carpenter, E. A. | Hoffman | Roberts | Walsh |
| Carpenter, I. S. | Howland | Root | Warner |
| Case | Husted | Russell | Waterbury |
| Catlin | Ingersoll | Seeley | Wells, J. L. |
| Chase | Kennedy | Sherman | Wiley |
| Chickering | Lefever | Shuit | Wren |
| Childs | Liddle | Sipp | Youngs |
| Clancy | Low | Sisson | |

Those who voted in the negative, were

Crapser

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Speaker introduced a bill entitled "An act to amend chapter 125 of the Laws of 1880, entitled 'An act to authorize the railroad commissioners of the town of Lowville, in Lewis county, to take up certain bonds which, under chapter 14, section 4, of Laws of 1872, may be taken up, and to issue others in place of said bonds at a lower rate of interest,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Speaker, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|-----------|-------------|
| Alvord | Congdon | Howland | Seeley |
| Andrews | Cookinham | Husted | Sheridan |
| Ash | Crapser | Ingersoll | Sherman |
| Baker, B. F. | Cullinan | Kennedy | Shuit |
| Baker, C. S. | Curtis | Lefever | Sipp |
| Beach | Cushing | Liddle | Sisson |
| Beates | Davis | McAvoy | Skinner |
| Benedict, E. D. | Dougherty | McCabe | Slingerland |
| Benedict, T. E. | Douglass | McDonald | Strait |
| Bradley | Duell | Mead | Tallmadge |
| Brennan | Duguid | Miller | Terry |
| Bridges | Ellis | Mitchell | Titus |
| Brodsky | Evans | Mooers | Travis |

| | | | |
|------------------|----------|----------|-----------------|
| Bullock | Ferris | Nowlan | Treanor |
| Carpenter, E. A. | Fish | O'Brien | Tuthill, H. H. |
| Carpenter, I. S. | Gibbs | O'Connor | Tuttle, R. M. |
| Case | Gorsline | Parker | Van Valkenburgh |
| Catlin | Gray | Pitcher | Varnum |
| Chase | Griggs | Potter | Walsh |
| Chickering | Gwinup | Rhodes | Waterbury |
| Clowes | Hagan | Roberts | Wiley |
| Cohen | Hayes | Root | Wren |
| Comstock | Hoffman | Sanders | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to uncollected taxes in the several towns and wards in this State," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|-----------------|
| Alvord | Comstock | Howland | Seeley |
| Andrews | Congdon | Husted | Sheridan |
| Ash | Cookinham | Ingersoll | Shuit |
| Baker, B. F. | Curtis | Kennedy | Sipp |
| Baker, C. S. | Cushing | Lefever | Sisson |
| Beach | Davis | Liddle | Skinner |
| Beates | Dougherty | McAvoy | Slingerland |
| Benedict, T. E. | Douglass | McCabe | Strait |
| Bennett | Duell | McDonald | Talhnadge |
| Brennan | Duguid | Miller | Terry |
| Bridges | Ellis | Mooers | Travis |
| Brodsky | Evans | Morgan | Treanor |
| Bullock | Ferris | Nowlan | Tuthill, H. H. |
| Carpenter, E. A. | Fish | O'Brien | Tuttle, R. M. |
| Carpenter, I. S. | Gorsline | O'Connor | Van Valkenburgh |
| Case | Gray | Parker | Varnum |
| Catlin | Griggs | Potter | Warner |
| Chase | Gwinup | Rhodes | Waterbury |
| Chickering | Hagan | Roberts | Wells, J. L. |
| Childs | Havens | Root | Wiley |
| Clark | Hayes | Russell | Wren |
| Clowes | Hoffman | Sanders | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize deeds for burial lots in rural cemeteries to be recorded in any county in which any part of said cemeteries may be located," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|---------|----------|---------|----------|
| Alvord | Comstock | Kennedy | Seeley |
| Andrews | Congdon | Lefever | Sheridan |

| | | | |
|------------------|-----------|----------|-----------------|
| Ash | Cookinham | Liddle | Sherman |
| Baker, B. F. | Cullinan | McAvoy | Shuit |
| Baker, C. S. | Davis | McCabe | Sipp |
| Beach | Dougherty | Mead | Sisson |
| Beates | Douglass | Miller | Skinner |
| Benedict, E. D. | Duell | Mooers | Slingerland |
| Benedict, T. E. | Duguid | Morgan | Steele |
| Brennan | Ellis | Nowlan | Tallmadge |
| Bridges | Evans | O'Brien | Terpeny |
| Brodsky | Ferris | O'Connor | Terry |
| Bullock | Fish | Parker | Travis |
| Carpenter, E. A. | Gorsline | Phillips | Treanor |
| Carpenter, I. S. | Gray | Potter | Tuttle, R. M. |
| Caso | Griggs | Potts | Van Valkenburgh |
| Catlin | Gwinup | Rhodes | Warner |
| Chase | Hayes | Roberts | Waterbury |
| Chickering | Hoffman | Root | Wiley |
| Clark | Howland | Russell | Wren |
| Clowes | Husted | Sanders | Youngs |
| Cohen | Ingersoll | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the honorable discharge of certain members of the National Guard," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Comstock | Kennedy | Sherman |
| Andrews | Congdon | Lefever | Shuit |
| Ash | Cookinham | Liddle | Sipp |
| Baker, B. F. | Cullinan | Lindsay | Sisson |
| Baker, C. S. | Davis | McAvoy | Skinner |
| Beach | Douglass | McCabe | Slingerland |
| Beates | Duell | McTernau | Strait |
| Benedict, E. D. | Duguid | Miller | Tallmadge |
| Brennan | Ellis | Mooers | Terpeny |
| Bridges | Evans | O'Brien | Terry |
| Brodsky | Fish | O'Connor | Travis |
| Bullock | Fiske | Parker | Treanor |
| Carpenter, E. A. | Gibbs | Pitcher | Tuthill, H. H. |
| Carpenter, I. S. | Gorsline | Potter | Tuttle, R. M. |
| Caso | Gray | Potts | Walsh |
| Catlin | Griggs | Roberts | Warner |
| Chamberlain | Gwinup | Root | Waterbury |
| Chase | Hayes | Russell | Wells, J. L. |
| Chickering | Hoffman | Sanders | Wiley |
| Clark | Howland | Seeley | Wren |
| Clowes | Husted | Sheridan | Youngs |
| Cohen | Ingersoll | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the equalization of taxes and assessments in the county of Chemung," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a

majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|----------------|
| Alvord | Comstock | Howland | Sanders |
| Andrews | Congdon | Husted | Seeley |
| Ash | Cookinham | Ingersoll | Sherman |
| Baker, B. F. | Cullinan | Kennedy | Shuit |
| Baker, C. S. | Curtis | Lefever | Sipp |
| Beach | Cushing | Liddle | Sisson |
| Beates | Davis | McAvoy | Skinner |
| Benedict, E. D. | Dougherty | McCabe | Slingerland |
| Benedict, T. E. | Douglass | McCarthy | Steele |
| Bradley | Duell | Miller | Strait |
| Brennan | Duguid | Mitchell | Tallmadge |
| Bridges | Ellis | Mooers | Terpeny |
| Brodskey | Evans | Morgan | Terry |
| Bullock | Ferris | Newman | Titus |
| Carpenter, E. A. | Fish | O'Brien | Travis |
| Carpenter, I. S. | Gibbs | O'Connor | Treanor |
| Case | Gillette | Parker | Tuthill, H. H. |
| Catlin | Gorsline | Pitcher | Varnum |
| Chamberlain | Gray | Potter | Warner |
| Chase | Griggs | Potts | Waterbury |
| Chickering | Gwinup | Rhodes | Wells, J. L. |
| Childs | Havens | Roberts | Wiley |
| Clark | Hayes | Root | Youngs |
| Cohen | Hoffman | Russell | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 151 of the Laws of 1873, entitled 'An act for the relief of stockholders of corporations whose certificates of stock have been lost or destroyed,'" being announced for a third reading.

On motion of Mr. C. S. Baker, and by unanimous consent, said bill was amended in words following:

Section 1, line 26, page 2, after the word "order" insert the words "not less than three years."

Section 3, line 38, page 2, after the word "same," last word of the last line of the section, add the words "but before the said corporation shall be required to comply with said order, a certified copy of the same and of the said bond, and the approval thereof by the court or a justice thereof, shall be served on the secretary or treasurer of the said corporation."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|---------|----------|---------|----------|
| Alvord | Crapser | Lefever | Sanders |
| Andrews | Cullinan | Liddle | Seeley |
| Ash | Davis | McAvoy | Sheridan |

| | | | |
|------------------|-----------|----------|----------------|
| Baker, B. F. | Dougherty | McCabe | Sherman |
| Baker, C. S. | Douglass | McCarthy | Sipp |
| Beach | Duell | McDonald | Sisson |
| Beates | Duguid | McTernan | Skinner |
| Benedict, E. D. | Ellis | Mead | Slingerland |
| Benedict, T. E. | Evans | Miller | Steele |
| Bradley | Ferris | Mooers | Strait |
| Brennan | Fish | Newman | Tallmadge |
| Bridges | Gibbs | O'Brien | Terpeny |
| Brodsky | Gorsline | O'Connor | Terry |
| Bullock | Gray | Parker | Titus |
| Carpenter, I. S. | Griggs | Peck | Travis |
| Case | Gwinup | Phillips | Treanor |
| Catlin | Havens | Pitcher | Tuthill, H. H. |
| Chase | Hayes | Potter | Tuttle, R. M. |
| Chickering | Hoffman | Potts | Warner |
| Clark | Howland | Rhodes | Waterbury |
| Cohen | Hurd | Roberts | Wells, J. L. |
| Comstock | Ingersoll | Root | Wiley |
| Congdon | Kennedy | Russell | Wren |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 5, title 2, part 2 of the Revised Statutes of the State of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 80 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|----------------|
| Alvord | Claney | Griggs | Peck |
| Andrews | Clark | Gwinup | Potter |
| Ash | Cohen | Hagan | Potts |
| Baker, C. S. | Comstock | Hayes | Rhodes |
| Beach | Congdon | Hoffman | Root |
| Beates | Cookinham | Howland | Russell |
| Benedict, E. D. | Cullinan | Hurd | Sheridan |
| Benedict, T. E. | Curtis | Ingersoll | Sipp |
| Bradley | Cushing | Lefever | Sisson |
| Brennan | Davis | Liddle | Skinner |
| Bridges | Douglass | Lindsay | Slingerland |
| Brodsky | Duell | McAvoy | Steele |
| Bullock | Duguid | McCabe | Strait |
| Carpenter, E. A. | Ellis | Miller | Terpeny |
| Carpenter, I. S. | Evans | Mitchell | Terry |
| Case | Fish | Mooers | Travis |
| Catlin | Fiske | Newman | Tuthill, H. H. |
| Chamberlain | Gibbs | O'Brien | Tuttle, R. M. |
| Chase | Gillette | O'Connor | Walsh |
| Chickering | Gray | Parker | Wiley |

Those who voted in the negative, were

Baker, B. F.

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for leasing wharf property

necessary for ferry purposes, along with the franchise of a ferry within the city of New York," being announced for a third reading,

On motion of Mr. Mitchell, and by unanimous consent, said bill was amended in words following:

After the word "lease," on line 3, section 1, insert "in the manner provided by law."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 63 }
{ NOES 22 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|-----------------|
| Baker, B. F. | Cornstock | Havens | Skinner |
| Baker, C. S. | Congdon | Hoffman | Strait |
| Beates | Crapser | Ingersoll | Tallmadge |
| Benedict, E. D. | Cullinan | Lefever | Terpeny |
| Bennett | Curtis | Lindsay | Terry |
| Bradley | Cushing | McAvoy | Tormey |
| Bridges | Davis | McCarthy | Tozier |
| Brodsky | Dougherty | McTernan | Treanor |
| Bullock | Duguid | Mitchell | Tuthill, H. H. |
| Carpenter, I. S. | Ellis | Mooers | Tuttle, R. M. |
| Case | Evans | Newman | Van Valkenburgh |
| Catlin | Ferris | O'Connor | Walsh |
| Chamberlain | Fish | Rhodes | Warner |
| Clark | Gibbs | Russell | Wiley |
| Clowes | Gorsline | Sherman | Youngs |
| Cohen | Hagan | Sisson | |

Those who voted in the negative, were

| | | | |
|------------------|-----------|----------|--------------|
| Alvord | Cookinham | Miller | Root |
| Andrews | Douglass | O'Brien | Sanders |
| Benedict, T. E. | Gillette | Parker | Steele |
| Carpenter, E. A. | Gwinup | Phillips | Wells, D. A. |
| Chickering | Hayes | Potts | Wren |
| Childs | Howland | | |

Mr. Treanor moved to reconsider the vote by which said bill was lost.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|----------|-------------|
| Alvord | Curtis | Low | Sheridan |
| Andrews | Cushing | McAvoy | Sipp |
| Baker, B. F. | Davis | McCabe | Sisson |
| Baker, C. S. | Dougherty | McTernan | Slingerland |
| Beach | Douglass | Miller | Steele |
| Benedict, E. D. | Duell | Mitchell | Strait |
| Benedict, T. E. | Duguid | Mooers | Tallmadge |
| Brennan | Ellis | Morgan | Terpeny |
| Bridges | Evans | O'Brien | Terry |

| | | | |
|-------------|-----------|----------|-----------------|
| Brodsky | Ferris | O'Connor | Thilemann |
| Bullock | Fish | Parker | Titus |
| Chamberlain | Gibbs | Phillips | Travis |
| Chase | Gillette | Pitcher | Treanor |
| Chickering | Havens | Potter | Tuthill, H. H. |
| Childs | Hayes | Potts | Tuttle, R. M. |
| Clark | Hoffman | Rhodes | Van Valkenburgh |
| Cohen | Howland | Root | Warner |
| Comstock | Hurd | Russell | Wells, D. A. |
| Congdon | Ingersoll | Sanders | Wells, J. L. |
| Cookinham | Kennedy | Seeley | Wren |
| Crapser | Lefever | Shanley | Youngs |
| Cullinan | Liddle | | |

Mr. Hurd moved to recommit said bill to the committee on commerce and navigation, with instruction to amend the same in words following, and report forthwith :

Add at end of section 2: "Nothing in this act contained shall be held to apply to that portion of the East river which has been by law been exclusively set apart for the use of canal boats, engaged in the transportation of freights in the Hudson river coming to tide water from the canals of this State.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Cullinan | Lefever | Sherman |
| Baker, B. F. | Curtis | Lindsay | Shuit |
| Baker, C. S. | Cushing | McAvoy | Sipp |
| Beach | Davis | McCarthy | Sisson |
| Beates | Dougherty | Mead | Slingerland |
| Benedict, E. D. | Douglass | Miller | Steele |
| Benedict, T. E. | Duell | Mitchell | Strait |
| Bennett | Ellis | Mooers | Tallmadge |
| Brennan | Evans | Morgan | Terpeny |
| Bridges | Ferris | Newman | Terry |
| Brodsky | Fish | O'Brien | Titus |
| Bullock | Gibbs | Parker | Travis |
| Carpenter, E. A. | Gorsline | Phillips | Treanor |
| Carpenter, I. S. | Gray | Pitcher | Tuthill, H. H. |
| Case | Gwinup | Potter | Tuttle, R. M. |
| Catlin | Hayes | Potts | Van Valkenburgh |
| Chickering | Hoffman | Rhodes | Warner |
| Childs | Howland | Root | Waterbury |
| Clark | Hurd | Russell | Wells, D. A. |
| Cohen | Husted | Sanders | Wells, J. L. |
| Comstock | Ingersoll | Seeley | Wren |
| Cookinham | Kennedy | Shanley | Youngs |
| Crapser | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act establishing the salary of the deputy comptroller," was read a third time.

Mr. Speaker put the question whether the House would agree to

the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 22 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Cushing | Lefever | Sanders |
| Andrews | Davis | Liddle | Seeley |
| Baker, B. F. | Deane | Low | Shanley |
| Baker, C. S. | Dougherty | McAvoy | Sheridan |
| Beates | Douglass | McCabe | Sherman |
| Benedict, E. D. | Duell | McCarthy | Shuit |
| Bennett | Duguid | McDonald | Steele |
| Bradley | Ferris | Mead | Tallmadge |
| Brennan | Fish | Miller | Terpeny |
| Brodsky | Gillette | Mitchell | Thilemann |
| Bullock | Gorsline | Mooers | Titus |
| Carpenter, I. S. | Gray | Morgan | Tormey |
| Catlin | Griggs | Newman | Travis |
| Chase | Havens | O'Brien | Tuthill, H. H. |
| Clancy | Hayes | Parker | Walsh |
| Clark | Howland | Pitoher | Waterbury |
| Clowes | Hurd | Potter | Wells, D. A. |
| Comstock | Husted | Rhodes | Wells, J. L. |
| Congdon | Ingersoll | Root | Wren |
| Cookinham | Kennedy | Russell | Youngs |
| Cullinan | | | |

Those who voted in the negative, were

| | | | |
|-----------------|----------|----------|---------------|
| Benedict, T. E. | Crapsier | Hoffman | Slingerland |
| Bridges | Curtis | McTernan | Terry |
| Chamberlain | Ellis | Peck | Tuttle, R. M. |
| Chickering | Evans | Sisson | Warner |
| Childs | Gibbs | Skinner | Wiley |
| Cohen | Gwinup | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to authorize the construction of a bridge over the Erie canal at Brockport, Monroe county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 70 }
{ NOES 10 }

Those who voted in the affirmative, were

| | | | |
|--------------|----------|----------|-------------|
| Alvord | Davis | McAvoy | Slingerland |
| Baker, B. F. | Deane | McCabe | Tallmadge |
| Baker, C. S. | Duell | McCarthy | Terpeny |
| Beach | Ferris | Mead | Terry |
| Beates | Fish | Mooers | Travis |
| Bradley | Fiske | Newman | Tormey |
| Brodsky | Gillette | Parker | Tozier |
| Bullock | Gorsline | Phillips | Travis |

| | | | |
|------------|-----------|---------|-----------------|
| Case | Gray | Potts | Treanor |
| Chase | Hagan | Rhodes | Tuthill, H. H. |
| Chickering | Hayes | Roberts | Tuttle, R. M. |
| Clark | Howland | Russell | Van Valkenburgh |
| Clowes | Burd | Sanders | Warner |
| Comstock | Ingersoll | Seeley | Waterbury |
| Congdon | Kennedy | Sherman | Wells, J. L. |
| Cookinham | Lefever | Shuit | Wiley |
| Cullinan | Liddle | Sisson | Youngs |
| Cushing | Loy | | |

Those who voted in the negative, were

| | | | |
|------------------|--------|---------|----------|
| Benedict, E. D. | Childs | Hoffman | Mitchell |
| Brennan | Evans | Miller | Potter |
| Carpenter, E. A. | Havens | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to druggists, grocers or dealers in merchandise, who deal in intoxicating liquors, wines, ale or beer," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 73 }
{ NOES 32 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|-----------------|
| Alvord | Comstock | Husted | Sanders |
| Andrews | Cookinham | Ingersoll | Seeley |
| Baker, B. F. | Crapser | Kennedy | Sherman |
| Beach | Cullinan | Lefever | Shuit |
| Beates | Curtis | Liddle | Sisson |
| Benedict, E. D. | Davis | Low | Skinner |
| Bradley | Douglass | McCabe | Steele |
| Brennan | Duguid | McDonald | Strait |
| Bridges | Ellis | McTernan | Tallmadge |
| Carpenter, E. A. | Evans | Miller | Terry |
| Carpenter, I. S. | Ferris | Mooers | Titus |
| Case | Fish | Morgan | Tormey |
| Catlin | Gorsline | Parker | Tozier |
| Chamberlain | Gray | Peck | Travis |
| Chase | Hayes | Phillips | Tuttle, R. M. |
| Chickering | Hoffman | Potts | Van Valkenburgh |
| Childs | Howland | Root | Warner |
| Clark | Hurd | Russell | Wiley |
| Clowes | | | |

Those who voted in the negative, were

| | | | |
|-----------------|-----------|----------|--------------|
| Benedict, T. E. | Dougherty | O'Connor | Terpeny |
| Bennett | Gibbs | Pitcher | Thilemann |
| Brodsky | Gwinup | Potter | Treanor |
| Bullock | Hagan | Rhodes | Tully |
| Clancy | McAvoy | Roberts | Walsh |
| Cohen | McCarthy | Shanley | Waterbury |
| Costello | Newman | Sheridan | Wells, J. L. |
| Cushing | O'Brien | Sipp | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act relating to the banks and prism of the Genesee Valley canal, and for the sale thereof," being announced for a third reading,

On motion of Mr. Kennedy, and by unanimous consent, said bill was amended in words following:

Section 1, line 2, after the word "authorized" add the words "and required;" same section, line 20, strike out the word "abandonment."

Section 2, line 2, after the word "authorized" insert the words "and required;" same section, line 20, strike out the word "abandonment."

Section 3, after the word "authorized" insert the words "and required;" same section, line 19, strike out the word "abandonment."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 91 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Cohen | Kennedy | Sanders |
| Andrews | Comstock | Lefever | Seeley |
| Baker, B. F. | Oongdon | Liddle | Shanley |
| Baker, C. S. | Crapser | Lindsay | Shuit |
| Beach | Cullinan | Low | Sisson |
| Beates | Curtis | McAvoy | Skinner |
| Benedict, E. D. | Davis | McCabe | Slingerland |
| Bennett | Dougherty | Mead | Steele |
| Bradley | Evans | Miller | Strait |
| Brennan | Ferris | Mitchell | Tahmadge |
| Bridges | Fish | Mooers | Terpeny |
| Brodsky | Fiske | Morgan | Terry |
| Bullock | Gillette | Newman | Titus |
| Carpenter, I. S. | Gorsline | O'Brien | Travis |
| Case | Gray | Peck | Tully |
| Catlin | Gwinup | Phillips | Tuthill, H. H. |
| Chamberlain | Hagan | Pitcher | Tuttle, R. M. |
| Chase | Hayes | Potter | Warner |
| Chickering | Hoffman | Potts | Waterbury |
| Childs | Howland | Roberts | Wells, D. A. |
| Clancy | Husted | Root | Wells, J. L. |
| Clark | Ingersoll | Russell | Youngs |
| Clowes | | | |

Those who voted in the negative, were
Walsh

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 175 of the Laws of 1870, entitled 'An act regulating the sale of intoxicating liquors,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill; and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }
{ NOES 9 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|----------------|
| Alvord | Cohen | Ingersoll | Shuit |
| Andrews | Comstock | Kennedy | Sisson |
| Baker, B. F. | Cookinham | Lefever | Skinner |
| Baker, C. S. | Costello | Liddle | Slingerland |
| Beach | Crapser | Low | Steele |
| Beates | Curtis | McAvoy | Strait |
| Benedict, E. D. | Davis | McCabe | Terpeny |
| Benedict, T. E. | Deane | McCarthy | Terry |
| Bennett | Duell | Mead | Titus |
| Bradley | Ellis | Miller | Tozier |
| Brennan | Evans | Mooers | Travis |
| Bridges | Ferris | Morgan | Treanor |
| Brodsky | Fish | Newman | Tully |
| Bullock | Fiske | O'Brien | Tuthill, H. H. |
| Carpenter, E. A. | Gibbs | Phillips | Tuttle, R. M. |
| Carpenter, I. S. | Gillette | Potts | Walsh |
| Case | Gorsline | Russell | Warner |
| Catlin | Gray | Seeley | Waterbury |
| Chamberlain | Hagan | Shanley | Wells, J. L. |
| Chase | Hayes | Sheridan | Wren |
| Chickering | Howland | Sherman | Youngs |
| Clowes | Husted | | |

Those who voted in the negative, were

| | | | |
|----------|----------|---------|---------|
| Childs | Hoffman | Pitcher | Roberts |
| Cullinan | Mitchell | Potter | Root |
| Gwinup | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Husted introduced a bill entitled "An act to extend the operation and effect of the act passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes, and the acts amending and extending the same,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Alvord moved to lay said order of business on the table for the purpose of taking up order of business introduction of bills.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Ingersoll introduced a bill entitled "An act to enable subordinate councils of the Royal Arcanum in the State of New York to take, hold and convey real and personal estate, and to exercise other powers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Also, a bill entitled "An act to incorporate the Grand Council of the Royal Arcanum of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Brodsky introduced a bill entitled "An act to authorize the dock department of the city of New York to construct a new pier for

the use of the police and fire departments of that city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Mitchell introduced a bill entitled "An act in relation to special proceedings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Alvord moved to lay all order of business on the table for the purpose of taking up the order of business reports of standing committees.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Travis (introductory No. 1109), entitled "An act to provide for the better protection of discharged or pardoned convicts, and to prevent breaches of the public peace and to prevent violations thereof," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Travis, and by unanimous consent, said bill was referred to the sub-committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Duell (introductory No. 1124), entitled "An act for the relief of Phillip Hathaway," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. E. A. Carpenter (introductory No. 318), entitled "An act to amend the act entitled 'An act to amend the Revised Statutes in relation to summary proceedings to recover possession of land, passed April 3, 1849,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Low (introductory No. 1096), entitled "An act to establish an inferior local court of civil and criminal jurisdiction in the village of Niagara Falls, in the town and county of Niagara, by the appointment of a police justice in said village," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Benedict (introductory No. 1068), entitled "An act to prevent fraud in the practice of law," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Benedict said bill was referred to the sub-committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Mitchell (introductory No. 1131), entitled "An act to amend chapter 217 of the Laws of 1875, entitled - 'An act relative to the Farmers' Loan and Trust Company,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Mitchell said bill was referred to the sub-committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 226), entitled "An act extending the jurisdiction of courts of special sessions, except in the city of Albany and in the city and county of New York," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 208), entitled "An act to amend chapter 467 of the Laws of 1870, entitled 'An act in relation to the county courts,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Brennan (introductory No. 1121), entitled "An act for the relief of certain persons engaged in the practice of dentistry within this State," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Brennan said bill was referred to the sub-committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 229), entitled "An act to amend chapter 448 of the Laws of 1876, entitled 'An act relating to courts, officers of justice and civil proceedings,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 240), entitled "An act to release to Mary E. Cockburn the interest of the people of the State of New York in certain real estate in Albany county," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Andrews (introductory No. 1085), entitled "An act to revise and amend title 11 of chapter 291 of the Laws of 1867, entitled 'An act to incorporate the city of Binghamton, and the several acts amendatory thereof,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Andrews said bill was referred to the sub-committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. C. S. Baker (introductory No. 1113), entitled "An act to further amend chapter 143 of the Laws of 1861, entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester, and to consolidate therewith the several acts in relation to the charter of said city as amended by chapter 14, Laws of 1880,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. C. S. Baker said bill was referred to the sub-committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Hayes (introductory No. 1099), entitled "An act to organize a night medical service in the city of New York, and to provide medical assistance in case of sudden sickness or accident during the night time," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Sharpe (introductory No. 1112), entitled "An act to amend chapter 26 of the Laws of 1878, entitled 'An act authorizing the city of Kingston to issue bonds for the purpose of creating a fund to pay the principal of the bonded indebtedness of said city, falling due in the years 1879, 1880, 1881 and 1882, and its proportion or quota of the bonded indebtedness of the county of Ulster, falling due in said years,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 206), entitled "An act for the relief of Lawrence Collins," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Skinner, from the committee on railroads, to which was referred the bill introduced by Mr. ——— (introductory No. 1120), entitled "An act in relation to rates of fare upon certain railroads," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Skinner, from the committee on railroads, to which was referred the bill introduced by Mr. Low (introductory No. 1103), entitled "An act for the relief of the town of Newfae, to abolish the office of railroad commissioner of said town, and to enable it to adjust its indebtedness and issue bonds therefor," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Low said bill was referred to the sub-committee of the whole.

Mr. Skinner, from the committee on railroads, to which was referred the Senate bill (introductory No. 292), entitled "An act to extend the time for the construction and completion of the Penn Yan and New York railway," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Skinner said bill was referred to the sub-committee of the whole.

Mr. Skinner offered for the consideration of the House a resolution in the words following:

Resolved, That 750 extra copies of the report of the committee on affairs of cities upon street cleaning, be printed with paper covers under the direction of the Clerk of the Assembly, at the price specified in the contract for extra copies: such copies to be distributed pro rata among the members of the Assembly.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Youngs (introductory No. 1100), entitled "An act authorizing the appointment of special policemen for Long Beach, in the town of Hempstead, Queens county," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Thilemann (introductory No. 1052), entitled "An act to provide for the payment of certain work executed in connection with the construction of the outlet sewer in East 42nd street, in the city of New York," reported for the consideration of the House.

On motion of Mr. McAvoy said bill was referred to the sub-committee of the whole.

Mr. Braman, from the committee on militia, to which was referred the Senate bill (introductory No. 265), entitled "An act to regulate the appointment and compensation of janitors for the several armories in the county of Kings," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Russell moved to refer said bill to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Ingersoll, from the committee on Indian affairs, to which was referred the bill introduced by Mr. Alvord (introductory No. 627), entitled "An act to authorize a treaty with the Onondaga Indians," reported in favor of the passage of a substitute, which report was agreed to and said bill committed to the committee of the whole.

Mr. Chickering, from the committee on game laws, to which was referred the Senate bill (introductory No. 379), entitled "An act to provide for the removal of eel weirs and other devices for taking fish from the Wallkill river, and to prevent the maintenance of such devices," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Chickering, from the committee on game laws, to which was referred the Senate bill (introductory No. 251), entitled "An act to amend chapter 534 of the Laws 1879, entitled 'An act for the further preservation of moose, wild deer, birds, fish and other game,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Chickering said bill was referred to the sub-committee of the whole.

The hour of two having arrived the House took a recess until 4 P. M.

FOUR O'CLOCK, P. M.

The House again met.

Mr. Speaker directed the Clerk to call the roll of members and ascertain if a quorum was present, and the following members answered to their names:

Alvord
Andrews

Curtis
Cushing

Ingersoll
Kennedy

Sipp
Sisson

| | | | |
|-----------------|-----------|----------|----------------|
| Baker, C. S. | Davis | Lefever | Skinner |
| Beach | Deane | Liddle | Slingerland |
| Benedict, E. D. | Dougherty | Bow | Strait |
| Benedict, T. E. | Douglass | McAvoy | Terpeny |
| Bradley | Duell | McCabe | Titus |
| Bridges | Duguid | Mead | Tozier |
| Brodsky | Ellis | Mitchell | Travis |
| Bullock | Evans | Moore | Treanor |
| Catlin | Ferris | Morgan | Tully |
| Chickering | Fish | Newman | Tuthill, H. H. |
| Childs | Gibbs | O'Brien | Tuttle, R. M. |
| Clark | Gillette | O'Connor | Walsh |
| Cohen | Gwinup | Pitcher | Warner |
| Congdon | Hagan | Potts | Waterbury |
| Costello | Hoffman | Root | Wells, D. A. |
| Crapser | Howland | Russell | Wren |
| Cullinan | Hurd | Sherman | Mr. Speaker 76 |

A quorum being present.

Mr. Alvord moved to lay all order of business on the table for the purpose of taking up order of business general orders, to take into consideration Senate bill entitled "An act to extend the time for the construction and completion of the Penn Yan and New York Railway Company;" also Assembly bill entitled "An act to amend chapter 314 of the Laws of 1871, entitled 'An act to amend the act entitled 'An act incorporating the New York Northern Railroad Company,' passed April 28, 1866."

The House resolved itself into committee of the whole on the bills entitled as follows:

"An act to amend chapter 314 of the Laws of 1871, entitled 'An act to amend the act entitled 'An act incorporating the New York Northern Railroad Company,' passed April 28, 1866."

Senate bill entitled "An act to extend the time for the construction and completion of the Penn Yan and New York Railway Company."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Titus, from said committee, reported progress on said bills, and asked and obtained leave to sit again.

Mr. Alvord moved to discharge the committee of the whole from the further consideration of the first named bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Alvord moved that the committee of the whole be discharged from the further consideration of the second named bill, and that the same do now have its third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|---------|----------|--------|---------|
| Alvord | Congdon | Hurd | Roberts |
| Andrews | Costello | Husted | Root |

| | | | |
|------------------|----------|-----------|---------------|
| Baker, O. S. | Cullinan | Ingersoll | Russell |
| Beach | Curtis | Kennedy | Seeley |
| Beates | Davis | Lefever | Sherman |
| Benedict, E. D. | Deane | Liddle | Shuit |
| Benedict, T. E. | Douglass | Lindsay | Sipp |
| Bradley | Duell | Low | Sison |
| Bridges | Duguid | McAvoy | Strait |
| Brodsky | Ellis | McCabe | Terry |
| Bullock | Evans | McCarthy | Tozier |
| Carpenter, E. A. | Ferris | Mead | Travis |
| Carpenter, I. S. | Fish | Miller | Tully |
| Catlin | Gillette | Mitchell | Tuttle, R. M. |
| Chamberlain | Gray | Mooers | Warner |
| Chase | Griggs | Morgan | Waterbury |
| Chickering | Gwinup | Newman | Wells, D. A. |
| Childs | Hayes | O'Brien | Wren |
| Clark | Hoffman | Pitcher | Youngs |
| Comstock | Howland | Potts | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act to amend chapter 674 of the Laws of 1870, entitled 'An act to amend and consolidate and re-enact an act entitled 'An act to incorporate the village of Edgewater, passed March 22, 1866, and an act amending the same, passed April 22, 1867, and to extend the powers of the corporation and the acts amendatory thereof and supplemental thereto.'"

"An act to incorporate Alert Hose Company No. 3, of Medina, New York."

"An act to amend chapter 824 of the Laws of 1873, entitled 'An act to amend section 19 of chapter 570 of the Laws of 1872, entitled 'An act to ascertain by proper proofs the citizens who shall be entitled to the right of suffrage in the State of New York, except in the city and county of New York and the city of Brooklyn, and to repeal chapter 572 of the Laws of 1871, entitled 'An act to amend an act entitled 'An act in relation to elections in the city and county of New York.'"

"An act to amend chapter 613 of the Laws of 1867, entitled 'An act in confirmation of the conveyance of lands to the Queens County Agricultural Society, and extending the powers of the officers of said society.'"

"An act to amend chapter 196 of the Laws of 1835, entitled 'An act to incorporate the village of Mount Morris.'"

"An act to provide for raising taxes for the use of the State upon certain corporations, joint-stock companies and associations."

"An act to legalize the official acts of Daniel T. Cornell as notary public."

"An act to facilitate the removal of stable manure from the built-up portions of the city of New York."

"An act to authorize and direct the comptroller of the city of New York to pay the salary of James E. McVeany, as one of the assistant aldermen of the city of New York."

"An act to revise, amend and consolidate the several acts in relation to the incorporation of the village of New Brighton."

"An act to provide for the collection of unpaid city taxes and local assessments in the city of Buffalo."

"An act to amend chapter 410 of the Laws of 1878, entitled 'An act to improve Flushing avenue, Long Island City.'"

"An act to amend section 1 of chapter 151 of the Laws of 1873, entitled 'An act for the relief of stockholders of corporations whose certificates of stock have been lost or destroyed.'"

"An act to regulate the taking of clams and oysters in the waters of the State of New York on the south side of Staten Island."

"An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages.'"

"An act to provide for the review and correction of illegal, erroneous or unequal assessments."

"An act restricting and defining the powers of the board of estimate and apportionment in the city of New York, and regulating the expenditures of the amounts appropriated by said board."

"An act to amend chapter 36 of the Laws of 1862, entitled 'An act to enable the electors of the town of Johnstown to vote by districts for town officers.'"

"An act to amend chapter 16 of part 1 of the Revised Statutes in relation to highways and bridges."

"An act to legalize the official acts of Elihu W. Clarke, a justice of the peace of the town of Milford, in the county of Otsego."

"An act for the relief of Wm. H. Carver."

"An act to amend chapter 441 of the Laws of 1862, entitled 'An act to consolidate certain school districts within or adjoining the corporate limits of the village of Sag Harbor, Suffolk county, and to establish a union school therein.'"

"An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,' so far as said act relates to the village of Wolcott."

"An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game.'"

"An act in relation to 'The Ladies Union Aid Society of the Methodist Episcopal Church in the city of New York.'"

Pursuant to ninth joint rule, Mr. Speaker announced order of business, third reading of bills.

"An act to amend chapter 106 of the Laws of 1880, entitled 'An act to repeal chapter 515 of the Laws of 1879, entitled 'An act to amend chapter 625 of the Laws of 1875, entitled 'An act in relation to courts of record in the city and county of New York, and to revise chapter 625 of the Laws of 1875,' was read a third time."

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }

{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|--------------|----------|---------|---------|
| Alvord | Curtis | Liddle | Sherman |
| Andrews | Davis | Lindsay | Shuit |
| Baker, B. F. | Deane | Low | Sipp |
| Baker, C. S. | Douglass | McCabe | Sisson |

| | | | |
|------------------|-----------|----------|----------------|
| Beach | Duell | Mead | Skinner |
| Beates | Duguid | Miller | Slingerland |
| Benedict, T. E. | Ellis | Mitchell | Strait |
| Bennett | Evans | Mooers | Terpeny |
| Bradley | Ferris | Morgan | Terry |
| Bridges | Fish | Newman | Thilemann |
| Brodsky | Gillette | O'Brien | Titus |
| Bullock | Gorsline | O'Connor | Tozier |
| Carpenter, E. A. | Gray | Parker | Travis |
| Carpenter, I. S. | Griggs | Phillips | Tully |
| Case | Hayes | Pitcher | Tuthill, H. H. |
| Catlin | Hoffman | Potter | Tuttle, R. M. |
| Chamberlain | Howland | Potts | Warner |
| Clark | Hurd | Roberts | Waterbury |
| Cohen | Husted | Root | Wells, D. A. |
| Congdon | Ingersoll | Russell | Wells, J. L. |
| Costello | Kennedy | Shanley | Youngs |
| Cullinan | Lefever | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to exempt certain corporations from the provisions of section 8, title 4, chapter 18, part 1 of the Revised Statutes, entitled 'special provisions relating to certain corporations,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 69 }
{ NOES 28 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|--------------|
| Alvord | Chickering | Hurd | Root |
| Andrews | Childs | Ingersoll | Shuit |
| Baker, B. F. | Clark | Kennedy | Sipp |
| Baker, C. S. | Congdon | Low | Sisson |
| Beach | Costello | McAvoy | Skinner |
| Beates | Cullinan | McCabe | Slingerland |
| Benedict, E. D. | Curtis | Mead | Strait |
| Benedict, T. E. | Cushing | Miller | Tallmadge |
| Bradley | Davis | Mitchell | Terpeny |
| Brennan | Dougherty | Mooers | Terry |
| Bridges | Douglass | Morgan | Titus |
| Brodsky | Duguid | O'Brien | Travis |
| Bullock | Fish | Phillips | Walsh |
| Carpenter, E. A. | Gillette | Pitcher | Waterbury |
| Carpenter, I. S. | Gorsline | Potter | Wells, D. A. |
| Catlin | Gray | Potts | Wells, J. L. |
| Chamberlain | Hayes | Roberts | Wren |
| Chase | | | |

Those who voted in the negative, were

| | | | |
|---------|---------|----------|----------------|
| Case | Gibbs | Liddle | Shanley |
| Crapser | Griggs | McDonald | Sherman |
| Deane | Gwinup | McTernan | Tormey |
| Duell | Hagan | Newman | Tully |
| Ellis | Havens | O'Connor | Tuthill, H. H. |
| Evans | Hoffman | Parker | Warner |
| Ferris | Lefever | Russell | Youngs |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to regulate the transportation of freight by railroad corporations," being announced for a third reading,

Mr. Mitchell moved to recommit said bill to the committee on railroads, with instructions to amend said bill in words following, and report forthwith:

Strike out sections 1 and 2 and substitute in place thereof the following:

Section 1. Rates for freight, to be charged by railroad corporations, shall in every instance be reasonable; and no discrimination in rates shall be made by any railroad corporation in favor of or against any shipper of freight for similar services rendered in this State, at the same time under like circumstances.

Mr. Alvord moved to further instruct said committee in words following:

Section 5, line 5, printed bill, after the word "which" insert "knowingly."

Debate arising,

Mr. Duguid moved the previous question.

Mr. Speaker put the question "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the amendment offered by Mr. Mitchell, and it was determined in the negative.

{ AYES 34 }
{ NOES 77 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|----------|--------------|
| Alvord | Clowes | Husted | Russell |
| Andrews | Fiske | Lefever | Strait |
| Ash | Gillette | McDonald | Tallmadge |
| Baker, B. F. | Gorsline | Miller | Thilemann |
| Benedict, E. D. | Gray | Mitchell | Travis |
| Brodsky | Griggs | Morgan | Warner |
| Carpenter, E. A. | Hagan | Pitcher | Wells, D. A. |
| Catlin | Hayes | Potter | Youngs |
| Chase | Hoffman | | |

Those who voted in the negative, were

| | | | |
|------------------|-----------|----------|----------------|
| Baker, C. S. | Curtis | Lindsay | Shuit |
| Beach | Cushing | Low | Sipp |
| Beates | Davis | McAvooy | Sisson |
| Benedict, T. E. | Deane | McCabe | Skinner |
| Bradley | Dougherty | McTernan | Slingerland |
| Brennan | Duell | Mead | Steele |
| Bridges | Duguid | Mooers | Terpeny |
| Bullock | Ellis | Newman | Terry |
| Carpenter, I. S. | Evans | O'Brien | Titus |
| Case | Ferris | Parker | Tormey |
| Chamberlain | Fish | Peck | Tozier |
| Chickering | Gibbs | Phillips | Treanor |
| Childs | Gwinup | Potts | Tully |
| Clancy | Havens | Rhodes | Tuthill, H. H. |
| Clark | Howland | Roberts | Tuttle, R. M. |
| Cohen | Hurd | Root | Walsh |
| Congdon | Ingersoll | Shanley | Waterbury |

Costello
Crapser
Cullinan

Kennedy
Liddle

Sheridan
Sherman

Wells, J. L.
Wren

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Alvord, and it was determined in the affirmative.

Mr. Skinner, from the committee on railroads, reported back said bill, amended as the House instructed.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 32 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Baker, C. S. | Davis | Lindsay | Sheridan |
| Beach | Deane | Low | Sherman |
| Beates | Dougherty | McAvoy | Shuit |
| Benedict, T. E. | Duell | McCabe | Sisson |
| Bradley | Duguid | McCarthy | Skinner |
| Brennan | Ellis | McDonald | Slingerland |
| Bridges | Evans | McTernan | Steele |
| Brodsky | Ferris | Mead | Terpeny |
| Bullock | Fish | Miller | Terry |
| Carpenter, I. S. | Gibbs | Moqers | Titus |
| Case | Griggs | Newman | Tormey |
| Chamberlain | Gwinup | O'Brien | Tozier |
| Chickering | Hagan | Parker | Treanor |
| Clancy | Havens | Peck | Tully |
| Clark | Hoffman | Phillips | Tuthill, H. H. |
| Cohen | Howland | Potts | Tuttle, R. M. |
| Congdon | Hurd | Rhodes | Walsh |
| Costello | Ingersoll | Roberts | Waterbury |
| Crapser | Kennedy | Root | Wells, J. L. |
| Curtis | Liddle | Shanley | Wren |
| Cushing | | | |

Those who voted in the negative, were

| | | | |
|------------------|-----------|----------|--------------|
| Alvord | Childs | Hayes | Sipp |
| Andrews | Clowes | Husted | Strait |
| Ash | Cookinham | Lefever | Tallmadge |
| Baker, B. F. | Cullinan | Mitchell | Thilemann |
| Benedict, E. D. | Fiske | Morgan | Travis |
| Carpenter, E. A. | Gillette | Pitcher | Warner |
| Catlin | Gorsline | Potter | Wells, D. A. |
| Chase | Gray | Russell | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

When the name of Mr. Davis was called, he stated that he was paired with Mr. Seeley.

The Senate sent for concurrence the bills entitled as follows:

"An act to amend chapter 836 of the Laws of 1872, entitled 'An act to regulate places of public amusement in the city of New York,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to provide for the adjustment and settlement of claims of

interest, on payments made by the mayor, aldermen and commonalty of the city of New York, on certain contracts for works of local improvements in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

A message from the Senate was received and read, in words following:

IN SENATE, *April 23, 1880.*

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to amend chapter 611 of the Laws of 1875, entitled 'An act to provide for the organization and regulation of certain business corporations.'"

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Fowler, and by unanimous consent, the same was amended as follows:

Section 1, lines 8 and 9, engrossed bill, strike out "or by special charter;" same section, subdivision 7, line 9, after "and" insert "if originally organized or incorporated under any general law of this State."

Add as section 2, the following:

Section 2. "The provisions of this act shall apply to and include any corporation which might, under the terms of this act, come under and avail itself of the said act hereby amended, and which shall have heretofore taken proceedings, and filed papers as required by said last-mentioned act, for the purpose of coming under the same and availing itself of the provisions thereof."

And as amended passed, re-engrossed and ordered sent to the Assembly for concurrence. By order.

JOHN W. VROOMAN, *Clerk.*

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 69 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|----------------|
| Alvord | Chickering | Fiske | Mitchell |
| Andrews | Clark | Gorsline | Mooers |
| Ash | Clowes | Gray | Morgan |
| Baker, B. F. | Cohen | Griggs | Phillips |
| Baker, C. S. | Congdon | Gwinup | Potts |
| Beach | Cookinham | Havens | Root |
| Beates | Crapser | Hayes | Sherman |
| Benedict, E. D. | Curtis | Hoffman | Slingerland |
| Bradley | Davis | Howland | Steele |
| Brennan | Deane | Hurd | Strait |
| Bridges | Douglass | Husted | Terry |
| Brodsky | Duell | Ingersoll | Titus |
| Bullock | Duguid | Kennedy | Tuthill, H. H. |
| Carpenter, E. A. | Ellis | Lefever | Tuttle, R. M. |
| Carpenter, I. S. | Evans | McCabe | Waterbury |
| Case | Ferris | McCarthy | Wells, D. A. |
| Catlin | Fish | Mead | Wells, J. L. |
| Chase | | | |

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 84 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|---------------|
| Alvord | Cohen | Hurd | Sipp |
| Andrews | Congdon | Husted | Sisson |
| Ash | Cookinham | Ingersoll | Skinner |
| Baker, B. F. | Crapser | Kennedy | Slingerland |
| Baker, C. S. | Cullinan | Lefever | Steele |
| Beach | Curtis | Liddle | Strait |
| Beates | Cushing | Lindsay | Tallmadge |
| Bradley | Davis | McCabe | Terpeny |
| Brennan | Deane | Mead | Terry |
| Bridges | Douglass | Miller | Thilemann |
| Brodsky | Duell | Mitchell | Titus |
| Bullock | Duguid | Moors | Tozier |
| Carpenter, E. A. | Evans | Phillips | Travis |
| Carpenter, I. S. | Ferris | Pitcher | Treanor |
| Case | Fish | Potts | Tully |
| Catlin | Fiske | Rhodes | Tuttle, R. M. |
| Chase | Gorsline | Root | Walsh |
| Chickering | Griggs | Russell | Waterbury |
| Clancy | Havens | Shanley | Wells, D. A. |
| Clark | Hoffman | Sherman | Wells, J. L. |
| Clowes | Howland | Shuit | Youngs |

Those who voted in the negative, were.

Gwinup

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

Mr. Duguid offered for the consideration of the House a privileged resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor requesting the return of Assembly bill No. 73, entitled "An act for the better protection of the traveling public," for amendment.

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. C. S. Baker offered for the consideration of the House a resolution in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of bill No. 752, entitled "An act authorizing the Superintendent of Public Works to maintain that portion of the Genesee river feeder lying within the limits of the city of Rochester in such condition that it shall not be detrimental to the public health," and said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Root offered for the consideration of the House a resolution in the words following:

Resolved, That Assembly bill No. 741, entitled "An act to amend an act to prevent animals from running at large in the public highways," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. O'Brien offered for the consideration of the House a resolution in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of Assembly bill No. 706, general orders No. 834, entitled "An act to authorize the city of Buffalo to issue its bonds, payable forty years after the date of issue, and bearing interest at a rate not exceeding five per centum per annum, to the extent of one million dollars, for the purpose of providing money to pay for constructing a belt sewer from the end of the mill race sewer, at or near Hamburg street to a point on the Niagara river below the water-works tunnel, as the common council and mayor of said city of Buffalo may direct," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Shanley, and at 5 o'clock and 45 minutes the House adjourned.

THURSDAY MORNING, APRIL 29, 1880.

The House met pursuant to adjournment.

Prayer by Rev. H. Trumpp.

The journal of yesterday was read and approved.

By unanimous consent,

Mr. Travis offered for the consideration of the House a resolution in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of Assembly bill No. 614, entitled "An act to consolidate, amend and revise the charter of the village of Sing Sing, in the county of Westchester," and that the same be ordered engrossed for a third reading.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Fiske offered for the consideration of the House a resolution in the words following:

Resolved, That Assembly bill No. 682, general orders No. 805, entitled "An act to authorize aliens to purchase, hold and dispose of real estate," be considered in the first committee of the whole not full.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Gwinup offered for the consideration of the House a resolution in the words following:

Resolved, That Assembly bill No. 705, general orders No. 833, introduced by Mr. Gwinup, entitled "An act for the protection of laborers and persons furnishing materials and supplies in procuring logs and timber from the woodlands and forests of this State," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Douglass offered for the consideration of the House a resolution in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of Senate bill No. 281, entitled "An act to authorize the sale of the stock held by the city of Rome in the Rome and Clinton Railroad Company, and to authorize the application of the proceeds to the payment of the bonds of said city, issued in payment for said stock," and that the same be ordered to a third reading.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Cookinham offered for the consideration of the House a resolution in the words following:

Resolved, That Assembly bill No. 385, general orders No. 420, entitled "An act to amend an act entitled 'An act to amend chapter 267 of the Laws of 1875, entitled 'An act for the incorporation of societies or clubs for certain recreative purposes,'" passed March 14, 1876; also, Assembly bill No. 692, general orders No. 815, entitled "An act to provide for the compensation of the county judge and surrogate of the county of Oneida," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Hurd offered for the consideration of the House a resolution in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of Senate bill No. 122, general orders No. 515, entitled "An act appropriating money to pay certain awards made by the Canal Appraisers, and the interest thereon; and to pay counsel and witnesses employed and subpoenaed in behalf of the State," be ordered to a third reading.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Mitchell offered for the consideration of the House a resolution in the words following:

Resolved, That Assembly bill No. 723, entitled "An act to authorize summary proceedings by mandamus against common carriers," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Youngs offered for the consideration of the House a resolution in the words following:

Whereas, It is alleged that grave abuses exist in the harbor-masters' office in the port of New York, whereby extortionate fees are charged to market vessels seeking wharfage; therefore, be it

Resolved, That the committee on commerce and navigation be instructed to inquire into said abuses, and to report to this House, within ten days, such measures as will tend to remedy the same.

Said resolution giving rise to debate,

Ordered, That the same be laid upon the table.

Mr. Catlin moved that Assembly bill entitled "An act to amend the charter of the village of New Rochelle," be printed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker directed the Clerk to call the roll of members and ascertain if a quorum was present, and the following members answered to their names:

| | | | |
|------------------|-----------|----------|---------------|
| Alvord | Cookinham | Liddle | Skinner |
| Andrews | Crapser | Low | Steele |
| Beach | Cullinan | McCabe | Tallmadge |
| Beates | Curtis | Miller | Terry |
| Benedict, E. D. | Davis | Mitchell | Thilemann |
| Benedict, T. E. | Douglas | Moors | Titus |
| Bradley | Duell | Newman | Tormey |
| Brennan | Ellis | Nowlan | Tozier |
| Bridges | Ferris | O'Brien | Travis |
| Brodsky | Fish | Parker | Treanor |
| Bullock | Fiske | Pitcher | Tully |
| Carpenter, E. A. | Gibbs | Potter | Tuttle, R. M. |
| Carpenter, I. S. | Gwinup | Potts | Warner |
| Case | Hagan | Rhodes | Waterbury |
| Catlin | Havens | Roberts | Wells, D. A. |
| Chamberlain | Howland | Root | Wells, J. L. |
| Chickering | Hurd | Russell | Wren |
| Clark | Ingersoll | Sherman | Youngs |
| Cohen | Kennedy | Shuit | Mr. Speaker |
| Congdon | Lefever | Sipp | |

79

A quorum being present,

Pursuant to ninth joint rule, Mr. Speaker announced the order of business third reading of bills.

Mr. Steele moved to lay said order of business on the table for the purpose of taking up the special orders of the day.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Speaker then announced the special order of the day being the bill entitled "An act to amend chapter 13 of part one of the Revised Statutes." Also, "An act to amend title 2 of chapter 13 of part 1 of the Revised Statutes, in relation to assessments."

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend title 2 of chapter 13 of part 1 of the Revised Statutes, in relation to assessments."

Senate, "An act to amend chapter 13 of part 1 of the Revised Statutes."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Low, from said committee, reported in favor of the passage of the first named bill with amendments, which report was agreed to and the same ordered engrossed for a third reading.

Mr. Low, from said committee, also reported in favor of the passage of the second named bill, with amendments, which report was agreed to and the same ordered to a third reading.

Mr. Mitchell offered for the consideration of the House a resolution in the words following:

Resolved, That Assembly bill No. 582, entitled "An act to amend title 2 of chapter 13 of part 1 of the Revised Statutes, in relation to assessments," be recommitted to the joint committee with instructions to insert a section defining the words "personal property," "moneys" and "credits." Also, to amend the bills presented, so that only the excess of resources over liabilities shall be assessed for purposes of taxation, retaining its place on order of third reading.

Mr. Curtis called for a division of the question.

Mr. Speaker put the question whether the House would agree to the first member of said amendment, in words following: "personal property," "moneys" and "credits," and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to the second member of said amendment in words following: "So that only the excess of resources over liabilities shall be assessed for purposes of taxation," and it was determined in the affirmative.

{ AYES 57 }
{ NOES 44 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Andrews | Costello | Lefever | Skinner |
| Baker, B. F. | Cushing | Liddle | Tallmadge |
| Baker, C. S. | Dougherty | McAvoy | Terry |
| Benedict, E. D. | Duguid | McCabe | Tormey |
| Bennett | Ellis | Mead | Tozier |
| Brennan | Fitzgerald | Mitchell | Travis |
| Bridges | Gibbs | Mooers | Treanor |
| Brodsky | Gillette | Morgan | Tuthill, H. H. |
| Carpenter, E. A. | Gray | Newman | Tuttle, R. M. |
| Carpenter, I. S. | Griggs | Nowlan | Van Valkenburgh |
| Catlin | Hagan | O'Brien | Waterbury |
| Chase | Hayes | Potts | Wells, D. A. |
| Chickering | Husted | Russell | Wiley |
| Clancy | Ingersoll | Sipp | Mr. Speaker |
| Clark | | | |

Those who voted in the negative, were

| | | | |
|-----------------|----------|----------|-------------|
| Alvord | Curtis | Kennedy | Shanley |
| Beach | Davis | Lindsay | Sheridan |
| Beates | Deane | Low | Sherman |
| Benedict, T. E. | Douglass | McCarthy | Shuit |
| Bradley | Evans | McTernan | Slingerland |
| Case | Ferris | Miller | Steele |
| Chamberlain | Fish | Parker | Titus |
| Childs | Gwinup | Peck | Tully |
| Cookinham | Havens | Roberts | Warner |
| Crapeer | Hoffman | Root | Wren |
| Cullinan | Howland | Sanders | Youngs |

Mr. Alvord moved to recommit said bill to the joint committee on taxation and assessments, with instructions to amend the same in words following, and report forthwith:

"If any real estate in the possession or ownership of any person liable to assessment and taxation is incumbered by any lien by way of mortgage or contract to purchase, the party in possession or ownership of the same shall pay the full tax imposed upon it, and upon giving to the assessor, who shall assess the same, a true account of the incumbrance thereon by way of unpaid purchase-money or mortgage, such possessor or owner may pay the tax imposed thereon, but he shall upon demand receive a receipt for so much of the tax paid upon such property as is fairly and equitably represented by the interest of the vendor under contract on the mortgage of such property, which receipt in the hands of such purchaser or mortgagor shall apply upon and be a payment of the amount due by him on his contract for the purchase of, or mortgage upon said real estate, whenever and as often as the amount due on either may be payable, except that in case the said purchaser or mortgagor shall by writing in the contract for sale and purchase, or in the mortgage lien on said real estate, stipulate and agree to pay the taxes on the same, he shall pay such tax in addition to the price agreed upon on such sale or purchase, or to the value of such mortgage lien and the lawful interest on either, and no claim for usury shall attach thereto, and the payment of such tax, without the demand for such special receipt, or such stipulation or agreement to pay such tax, shall deprive him of the right to offset such indebtedness against his liability to be assessed or pay his tax on any personal property owned by him or in his possession."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Brodsky moved to recommit said bill to the special joint committee on taxation and assessment with instructions to amend the same in words following, and report forthwith:

Section 17. "They shall have power to further examine, on oath and affirmation, the person in possession of taxable property, in relation to its value or description, or in relation to the concealing of any property for the purpose of evading taxation, or in relation to the amount of such previous debts, or in relation to any debt created with intent to evade taxation. In case that any assessor shall be satisfied that a list does not contain a full and true statement of all taxable property of the person making it, together with the true valuation or a true statement of debts, it shall be lawful for him to correct the list or schedule as he shall deem just and proper."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate sent for concurrence the following resolution:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor asking the return of Senate bill No. 166, entitled "An act to extend the time for the completion of the Penn Yan and New York railroad."

Mr. Speaker put the question whether the House would concur in the passage of said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein.

A message from the Senate was received and read informing of concurrence in the following resolution:

Resolved (if the Senate concur), That a respectful message be sent to the Governor requesting the return of Assembly bill No. 73, entitled "An act for the better protection of the traveling public," for amendment.

Ordered, That the Clerk return said resolution to the Governor.

A message from the Senate was received and read informing of concurrence in the passage of the following bill:

"An act to amend chapter 365 of the Laws of 1865, entitled 'An act to incorporate the city of Lockport, and the acts amendatory thereof.'"

Ordered, That the Clerk return said bill to the Governor.

Mr. Sanders offered for the consideration of the House a privileged resolution in words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor requesting the return of Assembly bill No. 360, entitled "An act conferring additional powers upon the trustees of the village of Leroy," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate.

Mr. Titus, from the sub-committee of the whole, presented a report from said committee; which was laid on the table and ordered printed.

(See Doc. No. 128.)

Mr. Speaker stated the second special order of the day being Senate bill entitled "An act for the removal of the reservoir situated in the city of New York, between Fortieth and Forty-second streets."

The House again resolved itself into a committee of the whole on the bill entitled as follows:

Senate. "An act for the removal of the reservoir situated in the city of New York, between Fortieth and Forty-second streets."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Tormey, from said committee, reported progress on said bill and asked and obtained leave to sit again.

Mr. Husted moved to discharge the committee of the whole from the further consideration of said bill, and that the same be recommitted to the committee on affairs of cities, with instructions to strike out all after the enacting clause and insert in lieu thereof Senate bill No. 121, in words following, said committee to report forthwith, and said bill be ordered to a third reading:

Section 1. The reservoir in the city of New York, situated on the Fifth avenue, between Fortieth and Forty-second streets, is hereby discontinued, and the commissioner of public works of said city is hereby authorized and directed, within six months from the passage of this act, to remove the pipes connecting with said reservoir, and to lay another main in Fifth avenue between Fortieth and Forty-second streets, to connect the mains now leading in and out of the said reservoir. He is further directed to remove the structure and grade the ground now occupied by said reservoir to the level of the adjacent streets in a suitable manner for the purpose of a park.

§ 2. The costs and expenses of the removal of the pipes connected with the said reservoir, and of laying the new main as provided by the first section of this act, shall be raised by a tax upon the real and personal property subject to taxation in the city and county of New York, and included in the tax levy for the years 1880 and 1881. The cost

and expense of the removal of the structure of said reservoir and of grading the ground now occupied by it shall be paid by the owners of property within the following limits: the westerly side of Sixth avenue, the southerly side of Thirty-seventh street, the easterly side of Madison avenue and the northerly side of Forty-fifth street; the same to be assessed and collected by the board of assessors of the city of New York, in like manner as assessments for local improvements.

§ 3. The comptroller of the city of New York is hereby authorized to pay the cost and expense of said improvement, as above provided, on the certificate of the commissioner of public works, and in order to enable the said comptroller to make such payments, he is hereby authorized and empowered and directed to issue revenue bonds of the said city in anticipation of the amount to be raised for the expense and cost of the said improvement. Such bonds shall bear interest at such rate as the said comptroller may deem proper, but not exceeding the rate of six per cent per annum, and shall be sold at not less than par. So much of the proceeds of said tax and the collection of the said assessment as may be necessary for the purpose shall be applied to the payment of the revenue bonds, to be issued as aforesaid, as they shall mature.

§ 4. The land at present occupied by the said reservoir, together with the adjacent land lying west thereof, known as Reservoir square, shall be converted into a public park, which shall be laid out by, and be under the control and management of the park commissioners, and kept and maintained by them as one of the public parks and places in the city of New York.

§ 5. The public park so created shall not be used for military parades, drills, inspections or reviews of any kind.

§ 6. This act shall take effect immediately.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Husted, and it was determined in the affirmative.

{ AYES 51 }
{ NOES 44 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Cookinham | Kennedy | Rhodes |
| Andrews | Davis | Liddle | Sanders |
| Baker, B. F. | Ellis | Low | Shanley |
| Benedict, T. E. | Gibbs | McCabe | Sipp |
| Bennett | Gillette | McTernan | Thilemann |
| Carpenter, I. S. | Gray | Mead | Van Valkenburgh |
| Case | Gwinup | Mooers | Varnum |
| Catlin | Hagan | Newman | Warner |
| Chase | Havens | Nowlan | Wells, D. A. |
| Chickering | Hayes | Parker | Wells, J. L. |
| Clancy | Hurd | Pitcher | Wren |
| Clowes | Husted | Potter | Youngs |
| Cohen | Ingersoll | Potts | |

Those who voted in the negative, were

| | | | |
|------------------|-----------|----------|-------------|
| Beach | Curtis | Lefever | Sheridan |
| Brennan | Cushing | McAvoy | Sherman |
| Brodsky | Deane | McCarthy | Skinner |
| Carpenter, E. A. | Dougherty | McDonald | Slingerland |
| Chamberlain | Douglass | Miller | Titus |
| Childs | Duell | Mitchell | Torney |
| Clark | Ferris | Morgan | Tozier |

Congdon
Costello
Crapser
Cullinan

Fiske
Fitzgerald
Hoffman
Howland

O'Brien
Peck
Phillips
Root

Travis
Treanor
Tuthill, H. H.
Tuttle, R. M.

The hour of two having arrived the House took a recess until 4 P. M.

FOUR O'CLOCK, P. M.

The House again met.

The Speaker directed the Clerk to call the roll of members and ascertain if a quorum was present, and the following members answered to their names:

| | | | |
|------------------|----------|----------|-----------------|
| Alvord | Costello | Kennedy | Sherman |
| Baker, C. S. | Crapser | Lefever | Shuit |
| Beates | Cullinan | Liddle | Sipp |
| Benedict, E. D. | Curtis | Lindsay | Skinner |
| Bradley | Davis | Low | Slingerland |
| Brennan | Deane | McCabe | Steele |
| Bridges | Douglass | McTernan | Tallmadge |
| Brodsky | Duell | Miller | Travis |
| Bullock | Ellis | Mitchell | Tully |
| Carpenter, E. A. | Ferris | Morgan | Tuthill, H. H. |
| Carpenter, I. S. | Fish | Newman | Tuttle, R. M. |
| Case | Fiske | O'Brien | Van Valkenburgh |
| Chamberlain | Gillette | Parker | Walsh |
| Chase | Griggs | Phillips | Waterbury |
| Chickering | Gwinup | Potts | Wells, D. A. |
| Clowes | Hoffman | Rhodes | Wells, J. L. |
| Cohen | Howland | Roberts | Wren |
| Congdon | Hurd | Root | Mr. Speaker |
| Cookinham | Husted | | |

A quorum being present.

By unanimous consent,

Mr. Hoffman introduced a bill entitled "An act to provide a public park for the city of Elmira, and for the care of the same," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hoffman, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|---------|---------|
| Alvord | Cookinham | Kennedy | Rhodes |
| Andrews | Costello | Lefever | Roberts |
| Baker, C. S. | Cullinan | Liddle | Root |
| Beach | Davis | Lindsay | Shuit |
| Beates | Dougherty | Low | Sipp |
| Benedict, E. D. | Duell | McAvoy | Skinner |

| | | | |
|------------------|----------|----------|-----------------|
| Bradley | Duguid | McCarthy | Slingerland |
| Brennan | Ellis | Mead | Steele |
| Bridges | Ferris | Miller | Strait |
| Brodskey | Fish | Mitchell | Tallmadge |
| Bullock | Gillette | Moors | Tuthill, H. H. |
| Carpenter, E. A. | Gray | Morgan | Tuttle, R. M. |
| Carpenter, I. S. | Griggs | Newman | Van Valkenburgh |
| Case | Gwinup | Nowlan | Walsh |
| Chamberlain | Hagan | O'Brien | Waterbury |
| Chase | Havens | Parker | Wells, D. A. |
| Chickering | Hoffman | Phillips | Wells, J. L. |
| Clowes | Howland | Pitcher | Wiley |
| Cohen | Hurd | Potts | Wren |
| Congdon | Husted | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Deane (introductory No. 1107), entitled "An act for the relief of James B. Brady," reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Deane (introductory No. 1123), entitled "An act to provide for the payment of the salary and legal expenses of George W. Morton, an excise commissioner in the city of New York," reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Brodskey (introductory No. 1136), entitled "An act to authorize the dock department of the city of New York to construct a new pier for the use of the police and fire departments of that city," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Slingerland (introductory No. 945), entitled "An act in relation to a public park in the city of Albany, now known as the Washington Park, supplementary and amendatory to an act passed May 5, 1869, and supplementary and amendatory to subsequent acts passed April 23, 1870, March 31, 1871, February 16, 1872, March 11, 1873, March 28, 1874, and June 7, 1875," reported said bill for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Varnum, said bill was recommitted to the committee on affairs of cities, and ordered printed.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Mitchell (introductory No. 1067), entitled "An act relating to certain local improvements and assessments in the city of New York," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Roberts (introductory No. 1027), entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of increasing the water supply to its inhabitants," reported

in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Costello (introductory No. 968), entitled "An act for the relief of Peter Kehr, John A. Kellner and Louis Ott," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. McDonald (introductory No. 1104), entitled "An act to provide for lights at the crossings of streets by elevated railroads in the city of New York," reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 227), entitled "An act to amend chapter 519 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 235), entitled "An act to establish a police department in the city of Buffalo, and to provide for the government thereof," reported said bill for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 222), entitled "An act in relation to arrears of personal taxes in the city of New York," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Pursuant to ninth joint rule Mr. Speaker announced the order of business, third reading of bills.

The bill entitled "An act to provide for the organization and formation of companies for the purpose of increasing the water supply of Deer river, in Lewis county, in aid of the milling and manufacturing interests thereof," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

} AYES 74 }
} NOES 9 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Andrews | Deane | Liddle | Root |
| Baker, C. S. | Dougherty | Lindsay | Shanley |
| Beach | Duell | Low | Sherman |
| Beates | Duguid | McCarthy | Shuit |
| Brennan | Ellis | McDonald | Sipp |
| Bridges | Ferris | Mead | Skiner |
| Brodsky | Fish | Miller | Steele |
| Bullock | Gibbs | Mooers | Strait |
| Carpenter, I. S. | Gillette | Morgan | Thilemann |
| Case | Gray | Newman | Tully |
| Chase | Griggs | Nowlan | Tuthill, H. H. |
| Chickering | Gwinup | O'Brien | Tuttle, R. M. |

| | | | |
|----------|-----------|----------|-----------------|
| Clark | Hagan | Parker | Van Valkenburgh |
| Clowes | Hoffman | Phillips | Waterbury |
| Cohen | Howland | Pitcher | Wells, D. A. |
| Costello | Hurd | Potter | Wells, J. L. |
| Crapser | Ingersoll | Potts | Wiley |
| Cullinan | Kennedy | Rhodes | Wreif |
| Davis | Lefever | | |

Those who voted in the negative, were

| | | | |
|-----------|--------|----------|--------|
| Alvord | Havens | Mitchell | Varnum |
| Bradley | Husted | Rhodes | Walsh |
| Cookinham | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for raising taxes for the use of the State upon certain corporations, joint-stock companies and associations," being announced for a third reading,

On motion of Mr. Steele, and by unanimous consent, said bill was amended in words following:

Strike out from the commencement of section down to and including the word "State," in line 7, and insert as follows:

"Hereafter it shall be the duty of the president or treasurer of every association, corporation or joint-stock company, liable to be taxed, or its capital stock, as provided in section 3 of this act."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }
{ NOES 3 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Costello | Kennedy | Sanders |
| Andrews | Crapser | Lefever | Sheridan |
| Baker, B. F. | Cullinan | Liddle | Sherman |
| Baker, C. S. | Curtis | Lindsay | Shuit |
| Beach | Cushing | Low | Sipp |
| Beates | Davis | McAvoy | Skinner |
| Benedict, T. E. | Deane | McCarthy | Slingerland |
| Bennett | Duell | McDonald | Steele |
| Bradley | Duguid | Mead | Strait |
| Brennan | Ellis | Miller | Tallmadge |
| Bridges | Ferris | Mitchell | Tormey |
| Brodsky | Fish | Mooers | Tozier |
| Bullock | Fiske | Morgan | Tully |
| Carpenter, E. A. | Gray | Newman | Tuthill, H. H. |
| Carpenter, I. S. | Griggs | O'Brien | Tuttle, R. M. |
| Case | Gwinup | Parker | Varnum |
| Chamberlain | Hoffman | Peck | Walsh |
| Chickering | Howland | Phillips | Waterbury |
| Clark | Hurd | Potts | Wells, D. A. |
| Clowes | Husted | Rhodes | Wells, J. L. |
| Congdon | Ingersoll | Root | Wren |
| Cookinham | | | |

Those who voted in the negative, were

| | | |
|------------|----------|---------|
| Fitzgerald | Gillette | Pitcher |
|------------|----------|---------|

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence the bill entitled "An act to amend chapter 217 of the Laws of 1875, entitled 'An act relative to the Farmers' Loan and Trust Company.'"

On motion of Mr. Mitchell, and by unanimous consent, said bill was substituted for Assembly bill, in sub-committee of the whole, on same subject.

A message was received from the Governor, in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }
ALBANY, April 27, 1880. }

To the Assembly:

In accordance with a joint resolution of the Senate and Assembly, herewith is returned, for amendment, Assembly bill entitled "An act to authorize the collector or receiver of taxes for the town of Liberty, in Sullivan county, to renew his bond, and to extend the time for receiving and collecting the unpaid taxes in said town."

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|-----------------|
| Alvord | Congdon | Hurd | Potts |
| Andrews | Cookinham | Husted | Rhodes |
| Baker, B. F. | Costello | Ingersoll | Roberts |
| Baker, C. S. | Crapser | Kennedy | Root |
| Beach | Curtis | Lefever | Russell |
| Beates | Cushing | Liddle | Sanders |
| Benedict, E. D. | Davis | Lindsay | Shuit |
| Bennett | Deane | Low | Sipp |
| Bradley | Dougherty | McAvoy | Skinner |
| Brennan | Duell | McCabe | Slingerland |
| Bridges | Ellis | McCarthy | Steele |
| Brodsky | Ferris | McDonald | Strait |
| Bullock | Fish | Miller | Tallmadge |
| Carpenter, E. A. | Fiske | Mitchell | Thilemann |
| Carpenter, I. S. | Gibbs | Mooers | Tozier |
| Case | Gillette | Newman | Tuttle, R. M. |
| Chamberlain | Gray | Nowlan | Van Valkenburgh |
| Chase | Griggs | O'Brien | Waterbury |
| Chickering | Gwinup | Parker | Wells, D. A. |
| Childs | Hagan | Phillips | Wells, J. L. |
| Clark | Hoffman | Pitcher | Wiley |
| Clowes | Howland | Potter | Wren |
| Cohen | | | |

On motion of Mr. Potts, and by unanimous consent, said bill was amended in words following:

Section 1, line 1, strike out the word "first" and insert the word "fifteenth;" same section, line 15, strike out the word "fifteenth" and insert the word "first;" same line strike out the word "May" and insert the word "June;" same section, line 16, after the word "all" insert the word "proper."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to

the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Cullinan | Liddle | Sanders |
| Andrews | Curtis | Lindsay | Sherman |
| Baker, B. F. | Cushing | McAvoy | Shuit |
| Baker, C. S. | Davis | McCabe | Sipp |
| Beach | Deane | McCarthy | Skinner |
| Beates | Duell | McDonald | Slingerland |
| Benedict, E. D. | Duguid | McTernan | Steele |
| Benedict, T. E. | Ellis | Miller | Strait |
| Bennett | Evans | Mitchell | Tallmadge |
| Brennan | Ferris | Mooers | Thilemann |
| Bridges | Fish | Morgan | Tozier |
| Brodsky | Fiske | Newman | Tully |
| Bullock | Gillette | Nowlan | Tuthill, H. H. |
| Carpenter, I. S. | Gray | O'Brien | Tuttle, R. M. |
| Case | Griggs | Phillips | Van Valkenburgh |
| Chamberlain | Gwinup | Pitcher | Varnum |
| Chase | Hoffman | Potter | Walsh |
| Chickering | Howland | Potts | Waterbury |
| Childs | Hurd | Rhodes | Wells, D. A. |
| Clowes | Ingersoll | Roberts | Wells, J. L. |
| Cookinham | Kennedy | Root | Wiley |
| Crapser | Lefever | Russell | Wren |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill No. 121, as amended by Assembly committee (introductory No. 219), entitled "An act for removal of the reservoir situated in the city of New York, between 40th and 42d streets," by instruction of the House reports back original Senate bill No. 121, which report was agreed to and said bill ordered to a third reading.

By unanimous consent,

Mr. Tallmadge offered for the consideration of the House a resolution in the words following :

Resolved, That the committee of the whole be discharged from the further consideration of Senate bill No. 137, general orders No. 646, entitled "An act to amend an act entitled 'An act to amend the charter of the city of Brooklyn, and the various amendments thereof,' passed June 28, 1873," and that the same be ordered to a third reading.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Husted, from the committee on ways and means, to which was recommitted the bill introduced by Mr. Low (introductory No. 973), entitled "An act to authorize the selection, location and appropriation of certain lands in the village of Niagara Falls for a State reservation, and to preserve the scenery of the Falls of Niagara," for amendment, reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Crapser (introductory No. 813), entitled "An act for the improvement of the east and west branch of the St. Regis river," reported adversely thereto, which report was agreed to.

Mr. Husted, from the committee on ways and means, to which was referred the Senate bill (introductory No. 204), entitled "An act to authorize the agent and warden of Clinton prison to make certain contracts for the benefit of the State," reported in favor of the passage of the same, with amendment, which report was agreed to and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Mitchell (introductory No. 252), entitled "An act to authorize the issue of certain bonds and stocks of the city of New York exempt from taxation," reported adversely thereto, which report was agreed to.

Mr. Hurd moved to lay said order of business on the table, for the purpose of considering Senate bill No. 269, entitled "An act to establish a police department in the city of Buffalo, and to provide for the government thereof," in committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

{ AYES 60 }
{ NOES 35 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|-----------------|
| Alvord | Cookinham | Ingersoll | Sanders |
| Andrews | Cullinan | Kennedy | Sheridan |
| Baker, B. F. | Curtis | Low | Sherman |
| Baker, C. S. | Cushing | Mead | Shuit |
| Beates | Davis | Miller | Skinner |
| Brennan | Deane | Mitchell | Slingerland |
| Bridges | Duguid | Mooers | Steele |
| Brodsky | Fitzgerald | Morgan | Titus |
| Carpenter, E. A. | Gillette | O'Brien | Tozier |
| Case | Gray | Phillips | Travis |
| Chamberlain | Griggs | Pitcher | Tuttle, R. M. |
| Chase | Hagan | Potter | Van Valkenburgh |
| Chickering | Howland | Potts | Varnum |
| Clark | Hurd | Roberts | Walsh |
| Clowes | Husted | Root | Wells, J. L. |

Those who voted in the negative, were

| | | | |
|------------------|-----------|----------|----------------|
| Beach | Congdon | Liddle | Sipp |
| Benedict, T. E. | Costello | Lindsay | Strait |
| Bradley | Crapser | McDonald | Thilemann |
| Bullock | Dougherty | McTernan | Tormey |
| Carpenter, I. S. | Evans | Newman | Tully |
| Catlin | Gwinup | Nowlan | Tuthill, H. H. |
| Childs | Havens | Parker | Waterbury |
| Clancy | Hoffman | Rhodes | Wiley |
| Cohen | Lefever | Shanley | |

Mr. Tozier moved to lay said order of business on the table for the purpose of taking up order of business, reports of standing committees.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend chapter 461 of the Laws of 1867, entitled 'An act for the support and relief of the poor and for the government of the poor department in the county of Erie,' " passed April 19, 1867.

"An act relating to fees, percentages and allowances of public officers a burden upon and a charge against the various cities of the State."

"An act to enable marine insurance companies to amend their charters."

"An act to provide for the taxation of life insurance companies."

"An act to amend chapter 314 of the Laws of 1871, entitled 'An act to amend the act entitled 'An act incorporating the New York Northern Railroad Company,' " passed April 28, 1866.

"An act authorizing the Superintendent of Public Works to maintain that portion of the Genesee river feeder lying within the limits of the city of Rochester in such condition that it shall not be detrimental to the public health."

"An act to authorize the city of Buffalo to issue its bonds, payable 40 years after the date of issue, and bearing interest at a rate not exceeding 5 per centum per annum, to the extent of \$1,000,000, for the purpose of providing money to pay for constructing a belt sewer from the end of the mill race sewer, at or near Hamburg street, to a point on the Niagara river below the water-works tunnel, as the common council and mayor of said city of Buffalo may direct."

"An act to provide for the disposition of a portion of the Chenango canal, and what is called and known as the Chenango canal extension, and the lands, rights and other property connected therewith."

The bill entitled "An act to authorize the trustees of the Manlius Academy to transfer and convey their academic property to the board of education of union free school No. 6, in the town of Manlius, of the county of Onondaga," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|-----------------|
| Alvord | Clowes | Gray | Potts |
| Andrews | Cohen | Hagan | Rhodes |
| Baker, B. F. | Cookinham | Havens | Root |
| Baker, C. S. | Crapser | Hayes | Shuit |
| Beach | Cullinan | Hoffman | Sipp |
| Beates | Curtis | Howland | Skinner |
| Benedict, T. E. | Cushing | Husted | Slingerland |
| Bradley | Davis | Ingersoll | Strait |
| Brennan | Deane | Kennedy | Tallmadge |
| Bridges | Dougherty | Lefever | Titus |
| Brodsky | Douglass | Liddle | Travis |
| Bullock | Duell | Lindsay | Tully |
| Carpenter, I. S. | Duguid | McDonald | Tuthill, H. H. |
| Case | Ellis | Miller | Tuttle, R. M. |
| Catlin | Evans | Mitchell | Van Valkenburgh |
| Chamberlain | Ferris | Mooers | Varnum |

| | | | |
|------------|------------|----------|--------------|
| Chase | Fish | Nowlan | Waterbury |
| Chickering | Fitzgerald | Parker | Wells, J. L. |
| Childs | Gibbs | Phillips | Wiley |
| Clark | Gillette | Potter | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 340 of the Laws of 1878, entitled 'An act in relation to the repaving of streets in the city of Syracuse, and to amend the charter of said city,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|-----------|-----------------|
| Alvord | Crapser | Ingersoll | Sanders |
| Andrews | Cullinan | Kennedy | Shanley |
| Baker, B. F. | Curtis | Lefever | Sheridan |
| Baker, C. S. | Cushing | Liddle | Shuit |
| Beach | Davis | Lindsay | Sipp |
| Beates | Deane | Low | Skinner |
| Benedict, E. D. | Duell | McCabe | Steele |
| Bradley | Duguid | McCarthy | Strait |
| Brennan | Ellis | McDonald | Terry |
| Bridges | Evans | Mead | Thilemann |
| Brodsky | Ferris | Miller | Titus |
| Bullock | Fish | Mooers | Tormey |
| Carpenter, E. A. | Gibbs | Morgan | Tozier |
| Carpenter, I. S. | Gillette | Newman | Tully |
| Case | Gray | Nowlan | Tuthill, H. H. |
| Catlin | Griggs | O'Brien | Tuttle, R. M. |
| Chickering | Gwinup | Phillips | Van Valkenburgh |
| Childs | Hayes | Pitcher | Varnum |
| Clark | Hoffman | Potter | Waterbury |
| Cohen | Howland | Potts | Wells, D. A. |
| Congdon | Hurd | Rhodes | Wells, J. L. |
| Costello | Husted | Root | Youngs |

Those who voted in the negative, were

McAvoy

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 314 of the Laws of 1871, entitled 'An act to amend the act entitled 'An act incorporating the New York Northern Railroad Company,'" passed April 28, 1866, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|---------|---------|---------|----------|
| Alvord | Curtis | Lefever | Shanley |
| Andrews | Cushing | Liddle | Sheridan |

| | | | |
|------------------|-----------|----------|-----------------|
| Baker, B. F. | Davis | Low | Sherman |
| Baker, C. S. | Deane | McCabe | Shuit |
| Beach | Dougherty | McCarthy | Sisson |
| Beates | Duell | McDonald | Skinner |
| Benedict, T. E. | Duguid | McTernan | Slingerland |
| Bradley | Ellis | Mead | Steele |
| Brennan | Ferris | Miller | Tallmadge |
| Bridges | Fish | Mitchell | Thilemann |
| Brodsky | Fiske | Mooers | Titus |
| Carpenter, E. A. | Gibbs | Morgan | Tozier |
| Carpenter, I. S. | Gillette | Newman | Travis |
| Case | Gray | Nowlan | Tully |
| Catlin | Gwinup | O'Brien | Tuthill, H. H. |
| Chase | Hagan | Parker | Tuttle, R. M. |
| Chickering | Havens | Phillips | Van Valkenburgh |
| Childs | Hayes | Pitcher | Waterbury |
| Clark | Hoffman | Potts | Wells, D. A. |
| Cohen | Howland | Rhodes | Wells, J. L. |
| Congdon | Husted | Root | Wiley |
| Crapser | Ingersoll | Sanders | Youngs |
| Cullinan | Kennedy | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 780 of the Laws of 1868, entitled 'An act in relation to a system of sewerage in and for the city of Syracuse,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|-----------------|
| Alvord | Crapser | Husted | Shanley |
| Andrews | Cullinan | Ingersoll | Sheridan |
| Baker, B. F. | Curtis | Kennedy | Sherman |
| Baker, C. S. | Cushing | Low | Shuit |
| Beach | Davis | McAvoy | Sipp |
| Beates | Deane | McCabe | Skinner |
| Benedict, E. D. | Duell | McCarthy | Slingerland |
| Brennan | Duguid | McTernan | Steele |
| Bridges | Evans | Mead | Strait |
| Brodsky | Ferris | Miller | Tallmadge |
| Bullock | Fish | Mitchell | Thilemann |
| Carpenter, E. A. | Fiske | Mooers | Titus |
| Carpenter, I. S. | Fitzgerald | Morgan | Tozier |
| Case | Gibbs | Newman | Travis |
| Catlin | Gillette | Nowlan | Tully |
| Chamberlain | Gray | O'Brien | Tuthill, H. H. |
| Chickering | Griggs | Parker | Tuttle, R. M. |
| Childs | Gwinup | Phillips | Van Valkenburgh |
| Clark | Havens | Pitcher | Waterbury |
| Clowes | Hayes | Potts | Wells, D. A. |
| Cohen | Hoffman | Rhodes | Wells, J. L. |
| Congdon | Howland | Root | Wren |
| Costello | Hurd | Sanders | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Brodsky moved to take from the table the motion to reconsider the vote by which Senate bill No. 76, entitled "An act in relation to the port and harbor of New York and the waters near the same," was lost.

Mr. Speaker put the question whether the House would agree to said motion to take said bill from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Curtis | Lefever | Sheridan |
| Andrews | Cushing | Lindsay | Sherman |
| Baker, B. F. | Dayls' | McAvoy | Shuit |
| Baker, C. S. | Deane | McCabe | Sisson |
| Beach | Dougherty | McCarthy | Skinner |
| Beatas | Duell | McDonald | Slingerland |
| Benedict, E. D. | Duguid | McTernan | Steele |
| Benedict, T. E. | Ellis | Mead | Strait |
| Bridges | Ferris | Miller | Tallmadge |
| Brodsky | Fish | Mitchell | Thilemann |
| Bullock | Fiske | Mooers | Tozier |
| Carpenter, E. A. | Gibbs | Newman | Travis |
| Carpenter, I. S. | Gillette | Nowlan | Treanor |
| Case | Gray | O'Brien | Tully |
| Catlin | Griggs | Parker | Tuthill, H. H. |
| Chamberlain | Gwinup | Phillips | Tuttle, R. M. |
| Chase | Havens | Pitcher | Van Valkenburgh |
| Chickering | Hayes | Potter | Varnum |
| Clark | Hoffman | Potts | Walsh |
| Clowes | Howland | Rhodes | Waterbury |
| Cohen | Hurd | Root | Wells, D. A. |
| Congdon | Husted | Sanders | Wells, J. L. |
| Costello | Ingersoll | Seeley | Youngs |
| Cullinan | Kennedy | Shanley | |

On motion of Mr. Brodsky, and by unanimous consent, said bill was amended in words following:

Amend section 5 by striking out the words "sinking fund of the" in first line, and insert in lieu thereof the word "police" before the word "commissioners."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }
{ NOES 2 }

Those who voted in the affirmative, were

| | | | |
|--------------|---------|---------|---------|
| Alvord | Cushing | Lefever | Sherman |
| Andrews | Davis | Liddle | Shuit |
| Baker, B. F. | Deane | Lindsay | Sisson |

| | | | |
|------------------|-----------|----------|-----------------|
| Baker, C. S. | Douglass | Low | Skinner |
| Beach | Duell | McAvoy | Slingerland |
| Beates | Duguid | McCarthy | Steele |
| Benedict, E. D. | Ellis | McTernan | Strait |
| Bradley | Evans | Mead | Tallmadge |
| Bridges | Ferris | Miller | Titus |
| Brodsky | Fish | Mitchell | Torney |
| Bullock | Fiske | Mooers | Tozier |
| Carpenter, I. S. | Gibbs | Morgan | Travis |
| Case | Gillette | Nowlan | Tully |
| Catlin | Gray | O'Brien | Tuthill, H. H. |
| Chamberlain | Griggs | Phillips | Tuttle, R. M. |
| Chase | Hayes | Pitcher | Van Valkenburgh |
| Chickering | Howland | Potter | Varnum |
| Clark | Hurd | Potts | Walsh |
| Clowes | Husted | Sanders | Waterbury |
| Cullinan | Ingersoll | Shanley | Wells, D. A. |
| Curtis | Kennedy | Sheridan | Wells, J. L. |

Those who voted in the negative, were

Benedict, T. E. Havens

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same, with amendments.

By unanimous consent,

Mr. Travis offered for the consideration of the House a resolution in the words following:

Resolved, That Assembly bill No. 271, general orders No. 293, entitled "An act to amend chapter 476, Laws of 1869, entitled 'An act to establish the office of receiver of taxes in the town of New Rochelle, in the county of Westchester,'" do now have its third reading.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|----------------|
| Alvord | Congdon | Ingersoll | Sanders |
| Andrews | Cookinham | Kennedy | Sheridan |
| Baker, B. F. | Costello | Lefever | Sherman |
| Baker, C. S. | Craper | Liddle | Shuit |
| Beach | Cullinan | Low | Sipp |
| Beates | Curtis | McAvoy | Skinner |
| Benedict, E. D. | Cushing | McCarthy | Slingerland |
| Bradley | Davis | Mead | Steele |
| Brennan | Deane | Miller | Strait |
| Bridges | Dougherty | Mitchell | Tallmadge |
| Brodsky | Ellis | Mooers | Titus |
| Bullock | Evans | Morgan | Tozier |
| Carpenter, E. A. | Ferris | Nowlan | Travis |
| Carpenter, I. S. | Fish | O'Brien | Tully |
| Case | Gibbs | Parker | Tuthill, H. H. |

| | | | |
|-------------|----------|----------|-----------------|
| Catlin | Gillette | Phillips | Tuttle, R. M. |
| Chamberlain | Gray | Pitcher | Van Valkenburgh |
| Chase | Griggs | Potter | Varnum |
| Chickering | Gwinup | Potts | Waterbury |
| Childs | Havens | Rhodes | Wells, D. A. |
| Clark | Hoffman | Roberts | Wells, J. L. |
| Cohen | Howland | Russell | Wiley |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Senate was received and read, informing of concurrence in the following resolution:

Resolved (if the Senate concur), That a respectful message be sent to the Governor requesting the return of Assembly bill No. 360, entitled "An act conferring additional powers upon the trustees of the village of LeRoy," for amendment.

Ordered, That the Clerk return said resolution to the Governor.

A message was received from the Senate in words following:

IN SENATE, *April 29, 1880.*

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to extend the time for the construction and completion of the Penn Yan and New York Railway Company."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Lord, and by unanimous consent, the same was amended as follows:

"And if completed within that time, the conveyance and alienation of all the right, title and interest of the State of New York, in and to the banks and prism of the Crooked Lake canal, to the said railroad company heretofore executed by the Commissioners of the Land Office, bearing date the 18th day of April, 1878, shall have the same force and effect as though the said railroad company had constructed and completed said railroad as required by section 2 of chapter 143 of the Laws of 1878; and any forfeiture of said conveyances by the failure to construct and complete said railroad as therein provided is hereby waived.

And as amended passed, and ordered sent to the Assembly for concurrence.

By order.

JOHN W. VROOMAN, *Clerk.*

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|--------------|-----------|-----------|---------|
| Alvord | Congdon | Hoffman | Roberts |
| Andrews | Cookinham | Howland | Root |
| Ash | Costello | Husted | Russell |
| Baker, B. F. | Crapser | Ingersoll | Sanders |
| Baker, C. S. | Cullinan | Kennedy | Shanley |
| Beach | Curtis | Lefever | Sherman |
| Beates | Cushing | Liddle | Shuit |

| | | | |
|------------------|-----------|----------|----------------|
| Benedict, E. D. | Davis | Lindsay | Sipp |
| Bradley | Deane | McCarthy | Skinner |
| Brennan | Dougherty | McDonald | Slingerland |
| Bridges | Duell | Mead | Steele |
| Brodsky | Duguid | Miller | Strait |
| Bullock | Ellis | Mitchell | Tallmadge |
| Carpenter, I. S. | Evans | Mooers | Titus |
| Case | Ferris | Nowlan | Tozier |
| Catlin | Fish | O'Brien | Tully |
| Chamberlain | Fiske | Parker | Tuthill, H. H. |
| Chase | Gibbs | Phillips | Tuttle, R. M. |
| Chickering | Gillette | Pitcher | Waterbury |
| Childs | Gray | Potter | Wells, D. A. |
| Clark | Griggs | Potts | Wells, J. L. |
| Clowes | Gwinup | Rhodes | Wiley |
| Cohen | Hagan | | |

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 101 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|-----------------|
| Alvord | Congdon | Husted | Root |
| Andrews | Cookinham | Ingersoll | Russell |
| Ash | Costello | Kennedy | Sanders |
| Baker, B. F. | Crapser | Lefever | Shanley |
| Baker, C. S. | Cullinan | Liddle | Sheridan |
| Beach | Curtis | Lindsay | Sherman |
| Beates | Cushing | Low | Shuit |
| Benedict, E. D. | Davis | McAvoy | Sipp |
| Benedict, T. E. | Dougherty | McCarthy | Skinner |
| Bennett | Duell | McDonald | Slingerland |
| Bradley | Duguid | Mead | Steele |
| Brennan | Ellis | Miller | Strait |
| Bridges | Evans | Mitchell | Tallmadge |
| Brodsky | Ferris | Mooers | Titus |
| Bullock | Fish | Morgan | Tozier |
| Carpenter, E. A. | Fiske | Newman | Travis |
| Carpenter, I. S. | Gibbs | Nowlan | Tully |
| Case | Gillette | O'Brien | Tuthill, H. H. |
| Catlin | Gray | Parker | Tuttle, R. M. |
| Chamberlain | Griggs | Phillips | Van Valkenburgh |
| Chase | Hagan | Pitcher | Varnum |
| Chickering | Hayes | Potter | Waterbury |
| Childs | Hoffman | Potts | Wells, D. A. |
| Clark | Howland | Rhodes | Wells, J. L. |
| Clowes | Hurd | Roberts | Wiley |
| Cohen | | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

Senate bill entitled "An act to repeal section 3 of chapter 392 of the Laws of 1873, entitled 'An act for the relief of the Corning Library, and all acts amendatory thereof,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|-----------------|
| Alvord | Clowes | Hayes | Roberts |
| Andrews | Congdon | Hoffman | Root |
| Baker, B. F. | Costello | Hurd | Sanders |
| Baker, C. S. | Crapser | Husted | Shanley |
| Beach | Cullinan | Ingersoll | Sherman |
| Beates | Curtis | Kennedy | Shuit |
| Benedict, E. D. | Cushing | Lefever | Sipp |
| Benedict, T. E. | Davis | Liddle | Skinner |
| Bradley | Deane | Lindsay | Slingerland |
| Brennan | Dougherty | McDonald | Steele |
| Bridges | Douglass | Miller | Strait |
| Brodsky | Duell | Mitchell | Titus |
| Bullock | Ellis | Mooers | Tozier |
| Carpenter, E. A. | Evans | Morgan | Tully |
| Carpenter, I. S. | Ferris | Nowlan | Tuthill, H. H. |
| Case | Fish | O'Brien | Tuttle, R. M. |
| Catlin | Fiske | Parker | Van Valkenburgh |
| Chamberlain | Gillette | Phillips | Varnum |
| Chase | Gray | Pitcher | Waterbury |
| Chickering | Griggs | Potter | Wells, D. A. |
| Childs | Gwinup | Potts | Wells, J. L. |
| Clark | Havens | Rhodes | Wiley |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act in relation to the auditing of expenses for the support of the county poor and the purchase of supplies in the county of Clinton," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }
{ NOES 2 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Curtis | Lefever | Sanders |
| Andrews | Cushing | Liddle | Sheridan |
| Baker, B. F. | Davis | Lindsay | Sherman |
| Baker, C. S. | Deane | McAvoy | Shuit |
| Beach | Dougherty | McCarthy | Sipp |
| Beates | Duell | McDonald | Skinner |
| Benedict, E. D. | Ellis | McTernan | Slingerland |
| Benedict, T. E. | Evans | Mead | Steele |
| Bradley | Ferris | Miller | Strait |
| Bullock | Fish | Mitchell | Tallmadge |
| Carpenter, E. A. | Fiske | Mooers | Tozier |
| Carpenter, I. S. | Gibbs | Nowlan | Tuthill, H. H. |
| Case | Gray | O'Brien | Tuttle, R. M. |
| Catlin | Griggs | Parker | Van Valkenburgh |
| Chamberlain | Gwinup | Phillips | Varnum |
| Chase | Hayes | Pitcher | Waterbury |
| Chickering | Hoffman | Potter | Wells, D. A. |
| Childs | Hurd | Potts | Wells, J. L. |

| | | | |
|----------|-----------|--------|-------|
| Clark | Ingersoll | Rhodes | Wiley |
| Cullinan | Kennedy | Root | |

Those who voted in the negative, were

| | |
|---------|---------|
| Brennan | Congdon |
|---------|---------|

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to legalize the official acts of Daniel F. Cornell as notary public," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Congdon | Kennedy | Roberts |
| Andrews | Cookinham | Lefever | Root |
| Baker, B. F. | Costello | Liddle | Sanders |
| Baker, C. S. | Cushing | Lindsay | Shanley |
| Beach | Davis | Low | Sherman |
| Beates | Deane | McAvoy | Shuit |
| Benedict, E. D. | Dougherty | McCarthy | Sipp |
| Benedict, T. E. | Duell | McDonald | Skinner |
| Bradley | Ellis | Miller | Stingerland |
| Brennan | Evans | Mitchell | Strait |
| Bridges | Ferris | Mooers | Tallmadge |
| Brodaky | Fish | Morgan | Tozier |
| Bullock | Fiske | Newman | Travis |
| Carpenter, E. A. | Gillette | Nowlan | Tuthill, H. H. |
| Carpenter, I. S. | Gray | O'Brien | Tuttle, R. M. |
| Case | Griggs | Parker | Van Valkenburgh |
| Catlin | Havens | Phillips | Varnum |
| Chase | Hayes | Pitcher | Waterbury |
| Chickering | Hoffman | Potter | Wells, D. A. |
| Clark | Howland | Potts | Wells, J. L. |
| Clowes | Ingersoll | Rhodes | Wiley |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to extend the term of office of the improvement commissioners in Long Island City for the purpose of completing certain improvements heretofore authorized," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|--------------|-----------|-----------|----------|
| Alvord | Clowes | Hoffman | Roberts |
| Andrews | Congdon | Howland | Root |
| Baker, B. F. | Cookinham | Ingersoll | Sanders |
| Baker, C. S. | Costello | Kennedy | Sheridan |
| Beach | Cullinan | Lefever | Sherman |
| Beates | Curtis | Liddle | Shuit |

| | | | |
|------------------|----------|----------|----------------|
| Benedict, E. D. | Cushing | McAvoy | Sipp |
| Benedict, T. E. | Davis | McCarthy | Skinner |
| Bradley | Deane | McDonald | Slingerland |
| Brennan | Duell | McTernan | Strait |
| Bridges | Ellis | Miller | Tallmadge |
| Brodsky | Evans | Mitchell | Terry |
| Bullock | Ferris | Mooers | Tozier |
| Carpenter, E. A. | Fish | Morgan | Travis |
| Carpenter, I. S. | Fiske | Nowlan | Tuthill, H. H. |
| Case | Gibbs | O'Brien | Tuttle, R. M. |
| Catlin | Gillette | Parker | Varnum |
| Chamberlain | Gray | Phillips | Waterbury |
| Chase | Griggs | Potter | Wells, D. A. |
| Chickering | Gwinup | Potts | Wells, J. L. |
| Childs | Hagan | Rhodes | Wiley |
| Clark | Hayes | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to repress and punish disorderly conduct on public conveyances," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|-----------|-----------------|
| Alvord | Childs | Ingersoll | Sanders |
| Andrews | Clark | Kennedy | Sherman |
| Baker, B. F. | Clowes | Lefever | Shuit |
| Baker, C. S. | Congdon | Liddle | Sipp |
| Beach | Cullinan | Lindsay | Skinner |
| Beates | Curtis | McAvoy | Slingerland |
| Benedict, E. D. | Cushing | Miller | Strait |
| Benedict, T. E. | Davis | Mitchell | Tallmadge |
| Bradley | Deane | Morgan | Tozier |
| Brennan | Duell | Nowlan | Travis |
| Bridges | Ellis | O'Brien | Tully |
| Brodsky | Evans | Parker | Tuthill, H. H. |
| Bullock | Ferris | Phillips | Tuttle, R. M. |
| Carpenter, E. A. | Fiske | Pitcher | Van Valkenburgh |
| Carpenter, I. S. | Gillette | Potter | Varnum |
| Case | Gray | Potts | Waterbury |
| Catlin | Griggs | Rhodes | Wells, D. A. |
| Chamberlain | Gwinup | Roberts | Wells, J. L. |
| Chase | Hagan | Root | Wiley |
| Chickering | Hoffman | | |

Those who voted in the negative, were

Dougherty

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate returned Assembly bill entitled "An act to regulate voting by stock and bondholders of railroad corporations," with a message that they have concurred in the passage of the same, with the following amendments:

Strike out all of section 2, and insert the following in lieu thereof:

Section 2. It shall not be lawful for any person to vote, or to issue a proxy to any other person or persons to vote at any meeting of stockholders or bondholders, or of stockholders and bondholders of any railroad corporation in this State for the election of directors, or for any other purpose, upon any stock or bonds where the certificates for said stock or the said bonds shall not be in the possession or under the control of the person on whose behalf the vote is to be given, and such last-mentioned person shall have ceased to retain the title to the stock represented by such certificates or the said bonds as owner in his own right or in his capacity of executor, administrator, trustee, committee, guardian or otherwise, notwithstanding said stock or bonds may still stand in his name on the books of said corporation. No person having the right to vote upon stock or bonds shall sell his vote or issue a proxy to vote upon such stock or bonds to any person for any sum of money, or any thing of value whatever. Any person offering to vote upon stock or bonds registered or standing in his name shall, if required by any inspector of election, take and subscribe the following oath or affirmation: "I do solemnly swear (or affirm) that in voting at this election I have not, either directly or impliedly, received any promise or any sum of money, or any thing of value whatever, to influence the giving of my vote, or votes, at this election; and that I have not sold or otherwise disposed of my interest in or title to any shares or bonds in respect to which I offer to vote at this election, but that all such shares and bonds still remain in my possession or subject to my control." Any person offering to vote as agent, attorney or proxy for any other person shall, if required by inspector of election, take and subscribe the following oath (or affirmation): "I do solemnly swear (or affirm) that the title to the stock or bonds upon which I now offer to vote is, to the best of my knowledge and belief, truly and in good faith vested in the persons in whose name they now stand, and that the said persons still retain control of the said shares and bonds, and that I have not, either directly or indirectly or impliedly, given any promise or any sum of money, or any thing of value whatever to induce the giving of the authority to vote upon such stock or bonds to me." The inspectors at any such election are authorized to administer the aforesaid oath or affirmation, and said oath and said proxies shall be filed in the office of said corporation. Any person who shall swear or affirm falsely in taking the oath or affirmation prescribed by this act shall be guilty of perjury. Any person violating any of the other provisions of this act shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished by imprisonment not exceeding one year, or by a fine not exceeding \$5,000, or by both such fine and imprisonment.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|--------------|----------|-----------|----------|
| Alvord | Cullinan | Howland | Sanders |
| Andrews | Curtis | Ingersoll | Shanley |
| Baker, B. F. | Cushing | Kennedy | Sheridan |
| Baker, C. S. | Davis | Lefever | Sherman |

| | | | |
|------------------|-----------|----------|-----------------|
| Beach | Deane | Liddle | Shuit |
| Beates | Dougherty | Lindsay | Sipp |
| Benedict, E. D. | Douglass | McCabe | Skinner |
| Benedict, T. E. | Duell | McCarthy | Slingerland |
| Bradley | Duguid | McDonald | Steele |
| Brennan | Ellis | Mead | Strait |
| Bridges | Evans | Miller | Tallmadge |
| Brodsky | Ferris | Morgan | Terry |
| Bullock | Fish | Nowlan | Tully |
| Carpenter, E. A. | Fiske | O'Brien | Tuthill, H. H. |
| Carpenter, I. S. | Gillette | Parker | Tuttle, R. M. |
| Case | Gray | Phillips | Van Valkenburgh |
| Catlin | Griggs | Pitcher | Varnum |
| Chamberlain | Gwinup | Potter | Waterbury |
| Chase | Hagan | Potts | Wells, D. A. |
| Childs | Hayes | Roberts | Wells, J. L. |
| Clark | Hoffman | Root | Wiley |
| Congdon | | | |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

By unanimous consent,

Mr. Cullinan offered for the consideration of the House a resolution in the words following:

Resolved, That Senate bill No. 92, general orders No. 102, reported favorably from the committee on affairs of cities, entitled "An act to change the name of, and in relation to the Association for Befriending Children," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Terry offered for the consideration of the House a resolution in the words following:

Resolved, That the time within which the committee on the judiciary may report bill abolishing the office of Canal Appraiser, and the Board of Audit, and creating court of claims, is hereby extended ten days.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Brennan offered for the consideration of the House a resolution in the words following:

Resolved, That bill No. 716, general orders No. 852, entitled "An act making it unlawful for the officers of any orphan asylum, charitable institution or other reformatory or temporary home for destitute children in this State, having the care or custody of any child or children between the ages of two and sixteen years, to employ in the care of any such child or children the services of any inmate of any poor-house, alms-house, work-house or penitentiary," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Mitchell introduced a bill entitled "An act to prohibit discrimination in freight rates to be charged by railroad corporations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

The hour of six having arrived the House adjourned.

FRIDAY MORNING, APRIL 30, 1880.

The House met pursuant to adjournment.

No clergyman being present.

The journal of yesterday was read and approved.

By unanimous consent,

Mr. Duguid introduced a bill entitled "An act to authorize the board of supervisors of the county of Onondaga to borrow money by issuing the bonds of said county, and to provide for the payment of such bonds," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Duguid, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|----------------|
| Alvord | Cookinham | Ingersoll | Sheridan |
| Andrews | Costello | Kennedy | Sherman |
| Ash | Cullinan | Lefever | Shuit |
| Baker, B. F. | Curtis | Liddle | Sipp |
| Baker, C. S. | Cushing | Lindsay | Skinner |
| Beach | Davis | Low | Slingerland |
| Beates | Deane | Miller | Steele |
| Benedict, T. E. | Duell | Mooers | Strait |
| Bradley | Duguid | Morgan | Tallmadge |
| Brennan | Ellis | Newman | Terry |
| Bridges | Evans | Nowlan | Titus |
| Brodsky | Ferris | O'Brien | Tozier |
| Carpenter, E. A. | Fish | Parker | Travis |
| Carpenter, I. S. | Gray | Phillips | Tuthill, H. H. |
| Case | Griggs | Pitcher | Tuttle, R. M. |
| Chase | Gwinup | Potts | Varnum |
| Childs | Hagan | Rhodes | Waterbury |
| Clowes | Hoffman | Roberts | Wells, J. L. |
| Cohen | Howland | Root | Wiley |
| Congdon | Hurd | Sanders | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Beach introduced a bill entitled "An act to amend chapter 774 of the Laws of 1872, entitled 'An act to incorporate the fire department of the village of Watkins, passed May 20, 1872,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

On motion of Mr. Nowlan, and by unanimous consent, the committee of the whole was discharged from further consideration of bill No. 725, entitled "An act to amend chapter 297 of the Laws of 1862, entitled 'An act to incorporate the fire department of the village of Owego, passed April 17, 1862,'" and said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|----------------|
| Alvord | Cookinham | Ingersoll | Sheridan |
| Andrews | Cullinan | Kennedy | Sherman |
| Ash | Curtis | Lefever | Shuit |
| Baker, B. F. | Davis | Liddle | Sipp |
| Baker, C. S. | Deane | Lindsay | Skinner |
| Beach | Douglass | McAvoy | Slingerland |
| Beates | Duell | McTernan | Strait |
| Benedict, T. E. | Duguid | Miller | Tallmadge |
| Bradley | Ellis | Mooers | Terry |
| Brennan | Evans | Morgan | Titus |
| Bridges | Ferris | Nowlan | Tozier |
| Brodsky | Fish | O'Brien | Travis |
| Carpenter, E. A. | Gray | Parker | Tuthill, H. H. |
| Carpenter, I. S. | Griggs | Peck | Tuttle, R. M. |
| Case | Gwinup | Phillips | Varnum |
| Chamberlain | Hagan | Potts | Warner |
| Chase | Havens | Rhodes | Waterbury |
| Childs | Hayes | Roberts | Wells, J. L. |
| Clowes | Hoffman | Root | Wiley |
| Cohen | Howland | Seeley | Youngs |
| Congdon | Hurd | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein,

By unanimous consent,

Mr. Curtis introduced a bill entitled "An act to authorize the trustees of the village of Greene, Chenango county, to sell certain real estate and used by said village for the purposes of the fire department, and to purchase a new site and building for that purpose by and with the consent of a majority of the electors of such village," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Curtis, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|-----------|-------------|
| Alvord | Cohen | Hurd | Shanley |
| Andrews | Cookinham | Ingersoll | Sheridan |
| Ash | Cullinan | Kennedy | Sherman |
| Baker, B. F. | Curtis | Lefever | Shuit |
| Baker, C. S. | Davis | Liddle | Sipp |
| Beach | Deane | Lindsay | Skinner |
| Beates | Duell | McAvoy | Slingerland |
| Benedict, E. D. | Duguid | McTernan | Strait |

| | | | |
|------------------|---------|----------|----------------|
| Benedict, T. E. | Ellis | Miller | Tallmadge |
| Bradley | Evans | Moors | Terry |
| Brennan | Ferris | Newman | Tozier |
| Bridges | Fish | Nowlan | Travis |
| Brodsky | Fiske | O'Brien | Tully |
| Bullock | Gray | Parker | Tuthill, H. H. |
| Carpenter, E. A. | Griggs | Peck | Varnum |
| Carpenter, I. S. | Gwinup | Phillips | Warner |
| Case | Hagan | Rhodes | Waterbury |
| Chamberlain | Hayes | Roberts | Wells, J. L. |
| Chase | Hoffman | Root | Wiley |
| Clowes | Howland | Sanders | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Alvord moved to lay all order of business on the table for the purpose of taking up order of business, introduction of bills.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Moors introduced a bill entitled "An act to regulate the commutation of highway taxes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. C. S. Baker introduced a bill entitled "An act to further amend the act entitled 'An act to suppress intemperance, and to regulate the sale of intoxicating liquors, being chapter 137 of the Laws of 1857,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Varnum (by request) introduced a bill entitled "An act to amend chapter 508 of the Laws of 1879, entitled 'An act to provide for the construction and maintenance of an additional public bath in the city of New York, passed April 16, 1879,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Fiske introduced a bill entitled "An act to amend chapter 681 of the Laws of 1873, entitled 'An act to establish communication between Richmond county and New Jersey, incorporating the Tubular Transit Company of Staten Island, passed June 9, 1873, as amended by chapter 23 of the Laws of 1874, as amended by chapter 27 of the Laws of 1876,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. E. A. Carpenter introduced a bill entitled "An act to legalize the official acts and proceeding of Irad W. Gildersleeve, a justice of the peace of the town of Southold, in the county of Suffolk, which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. E. A. Carpenter, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|---------|-----------|---------|----------|
| Alvord | Cookinham | Kennedy | Sheridan |
| Andrews | Costello | Lefever | Sherman |

| | | | |
|------------------|-----------|----------|--------------|
| Ash | Cullinan | Liddle | Shuit |
| Baker, B. F. | Curtis | Lindsay | Sipp |
| Baker, C. S. | Cushing | Low | Skinner |
| Beach | Davis | McAvoy | Slingerland |
| Beates | Deane | Miller | Steele |
| Benedict, E. D. | Dougherty | Moers | Strait |
| Benedict, T. E. | Duell | Morgan | Tallmadge |
| Bradley | Duguid | Newman | Terry |
| Brennan | Ellis | Nowlan | Titus |
| Bridges | Evans | O'Brien | Tozier |
| Brodsky | Fish | Parker | Travis |
| Carpenter, E. A. | Gray | Peck | Tully |
| Carpenter, I. S. | Griggs | Phillips | Varnum |
| Case | Gwinup | Potts | Warner |
| Chase | Hagan | Rhodes | Waterbury |
| Chickering | Hayes | Roberts | Wells, J. L. |
| Clowes | Hoffman | Root | Wiley |
| Cohen | Hurd | Sealey | Youngs |
| Congdon | Ingersoll | Shanley | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Terry introduced a bill entitled "An act for the preservation of lobsters," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

Mr. Tozier introduced a bill entitled "An act for the relief of the Attica and Arcade Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Bradley introduced a bill entitled "An act to prevent any adulteration of sugar and syrup," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

Mr. Brodsky (by request) introduced a bill entitled "An act authorizing and requiring the comptroller of the city of New York to audit and pay the claim of Simon Levy against the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Dougherty offered for the consideration of the House a resolution in the words following:

Resolved, That Assembly bill No. 355, general orders No. 383, entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" be recommitted to the committee on internal affairs, with power to report complete at any time.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Bradley offered for the consideration of the House a resolution in the words following:

Resolved, That when this House adjourns to-day, it be to meet on Monday evening next at eight o'clock.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Duell (introductory No. 891), entitled "An act to regulate the appointment of referees and receivers in courts of record in this State," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 193), entitled "An act to authorize the owner or holder of any mortgage or other lien or real estate in this State to pay the taxes and assessments thereon, and also to redeem such real estate from tax sales, and to collect the sums so paid with interest," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 202), entitled "An act to amend chapter 361 of the Laws of 1871, entitled 'An act to facilitate the admission of certain wills as evidence in courts of justice,'" reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Tozier, from the committee on general laws, to which was referred the bill introduced by Mr. Comstock (introductory No. 1127), entitled "An act relative to foreign corporations and incorporated companies transacting business within the State of New York," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Tozier, from the committee on general laws, to which was referred the bill introduced by Mr. Husted (introductory No. 1134), entitled "An act to amend the general manufacturing law," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Sheridan (introductory No. 229), entitled "An act in relation to county officers in the county of Kings and their compensation as well as that of their deputies, clerks and assistants," reported said bill for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 190), entitled "An act to amend chapter 918 of the Laws of 1871, entitled 'An act to amend the charter of the city of Cohoes,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 72), entitled "An act in relation to Fourth avenue in the city of Brooklyn," reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Varnum (introductory No. 909), entitled "An act in regard to markets in the city of New York, and to provide for the rebuilding of the same, and the acquisition of land for market purposes," reported in favor of the passage of the same,

with amendments, and the title amended so as to read as follows: "An act in regard to markets in the city of New York, and to provide for the rebuilding of the same," which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Varnum (introductory No. 1008), entitled "An act relating to certain assessments for local improvements," reported said bill for the consideration of the House.

On motion of Mr. Varnum, said bill was ordered recommitted to the committee on affairs of cities, when printed.

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Howland (introductory No. 1066), entitled "An act to authorize the village of Jordon to borrow money for the purpose of macadamizing or otherwise improving the streets of said village," reported adversely thereto, which report was agreed to.

Mr. Sanders, from the committee on affairs of villages, to which was referred the Senate bill (introductory No. 536), entitled "An act to amend chapter 285 of the Laws of 1874, entitled 'An act in reference to the cemetery in the village of Herkimer,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. J. L. Wells, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Rhodes (introductory No. 546), entitled "An act to repeal chapter 416 of the Laws of 1876, and for other purposes," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Bridges, from the committee on public printing, to which was referred the resolution to print extra copies of the Report of the Committee on the Affairs of Cities upon Street Cleaning, reported in favor of the adoption of the following resolution:

Resolved, That 750 extra copies of the Report of the Committee on Affairs of Cities upon Street Cleaning be printed, with paper covers, under the direction of the Clerk of the Assembly, at the price specified in the contract for extra copies, such copies to be distributed pro rata among the members of Assembly.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 67 }
{ NOES 8 }

Those who voted in the affirmative, were

| | | | |
|-----------------|------------|-----------|---------------|
| Alvord | Chase | Hoffman | Sipp |
| Andrews | Chickering | Hurd | Skinner |
| Ash | Clark | Ingersoll | Slingerland |
| Baker, B. F. | Clowes | Lefever | Tallmadge |
| Baker, C. S. | Cookinham | Liddle | Terpeny |
| Beach | Costello | Lindsay | Tozier |
| Benedict, E. D. | Cushing | Low | Tully |
| Benedict, T. E. | Deane | McAvoy | Tuttle, R. M. |
| Bradley | Dougherty | Miller | Varnum |
| Brennan | Duell | Newman | Walsh |
| Bridges | Ferris | O'Brien | Waterbury |
| Brodsky | Fish | Parker | Wells, J. L. |
| Bullock | Fiske | Phillips | Wiley |

| | | | |
|------------------|--------|---------|-------------|
| Carpenter, E. A. | Gray | Potter | Wren |
| Carpenter, I. S. | Griggs | Sanders | Youngs |
| Case | Hagan | Shanley | Mr. Speaker |
| Chamberlain | Hayes | Shuit | |

Those who voted in the negative, were

| | | | |
|----------|--------|--------|---------|
| Cohen | Curtis | Gwinup | Root |
| Cullinan | Evans | Rhodes | Sherman |

Mr. Curtis, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Cookinham (introductory No. 1130), entitled "An act to amend chapter 381 of the Laws of 1875, entitled 'An act supplements' to an act entitled 'An act to provide for the incorporation of religious societies, passed April 5, 1813, and of the several acts amendatory thereof,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole. Mr. Curtis dissenting.

Mr. Ingersoll, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Ingersoll (introductory No. 1116), entitled "An act to incorporate the Grand Lodge Knights of Honor of the State of New York," reported in favor of the passage of the same.

On motion of Mr. Ingersoll, and by unanimous consent, said bill was ordered to a third reading.

Mr. Curtis, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Ingersoll (introductory No. 1138), entitled "An act to incorporate the Grand Council of the Royal Arcanum of the State of New York," reported in favor of the passage of the same.

On motion of Mr. Ingersoll, and by unanimous consent, said bill was ordered to a third reading.

Mr. Curtis, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Ingersoll (introductory No. 1135), entitled "An act to enable subordinate councils of the Royal Arcanum, in the State of New York, to take, hold and convey real and personal estate, and to exercise other powers," reported in favor of the passage of the same.

On motion of Mr. Ingersoll, and by unanimous consent, said bill was ordered to a third reading.

Mr. Chickering, from the committee on game laws, to which was referred the bill introduced by Mr. Terry (introductory No.), entitled "An act for the preservation of lobsters," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Titus called from the table the report of the sub-committee of the whole in words following:

Report of the sub-committee of the whole.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 608, printed No. 169, entitled "An act to legalize the official acts and proceedings of Hiram Dimick, a justice of the peace of the town of Wirt, in the county of Allegany," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 457, printed No. 94, entitled "An act to legalize and confirm the official acts of Jonathan O. Spink, of the

town of Orangeville, Wyoming county, as justice of the peace," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 875, printed No. 161, entitled "An act to amend chapter 290 of the Laws of 1879, entitled 'An act to amend chapter 149 of the Laws of 1874, entitled 'An act to amend an act, passed April 27, 1872, entitled 'An act to amend chapter 657 of the Laws of 1871, entitled 'An act to amend an act, passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed April 20, 1871, and to legalize the formation and acts of certain corporations formed according to the provisions of chapter 374 of the Laws of 1877," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 667, printed No. 583, entitled "An act to exempt the town of Lenox, in the county of Madison, from the provisions and operation of chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 604, printed No. 532, entitled "An act to restrict appeals to the Court of Appeals in certain cases," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 844, printed No. 709, entitled "An act to fix the salary of the town clerk and commissioner of highways of the town of Saugerties, Ulster county," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 714, printed No. 621, entitled "An act for authorizing the board of supervisors of school district No. 3 of the town of New Lots, in the county of Kings, to issue bonds to the amount of \$10,000 to refund or pay a like amount of bonds issued by said board of trustees for the erection of a school-house in pursuance of chapter 191 of the Laws of 1870," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 899, printed No. 745, entitled "An act for the relief of Babette Stemmler," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 591, printed No. 516, entitled "An act permitting the common council of the city of Buffalo in its discretion to allow or disallow in whole or in part any claim or claims in abating certain nuisances by direction of the board of health of the city of Buffalo in the years 1877 and 1878," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 786, printed No. 668, entitled "An act in relation to the opening, regulating and grading of 126th and 127th streets in the city of New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 775, printed No. 661, entitled "An act to amend chapter 702 of the Laws of 1871, entitled 'An act relative to contracts for advertising in newspapers published on Sunday,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 848, printed No. 712, entitled "An act to confirm the election of village trustees in certain cases, and to provide for and determine, by lot, their respective terms of office," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 589, printed No. 514, entitled "An act to reduce the expenses of the improvement commission in Long Island City," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 675, printed No. 590, entitled "An act to amend chapter 381 of the Laws of 1877, entitled 'An act to amend chapter 896 of the Laws of 1869, entitled 'An act to incorporate the Crescent Company, and to extend the time within which the company thereby created may commence operations,' passed June 2, 1877, and to further extend the time within which the said company may commence operations,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 302, printed No. 279, entitled "An act to amend section 82, article 3, title 4, chapter 2, part 4 of the Revised Statutes, relative to removing indictments to the supreme court from courts of oyer and terminer," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 790, printed No. 671, entitled "An act to amend chapter 70 of the Laws of 1858, entitled 'An act to incorporate the village of Olean, in the county of Cattaraugus,' and of the several acts amendatory thereof," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 773, printed No. 659, entitled "An act for the protection of corporations organized for generating and distributing steam for heating and other purposes," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 811, printed No. 688, entitled "An act in relation to the sale and conveyance of any interest in real estate belonging to lunatics or idiots or habitual drunkards," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 600, printed No. 527, entitled "An act to amend the twelfth section of the 'Act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes, passed February 17, 1848, as said section was amended by chapter 657 of the Laws of 1871, and as further amended by chapter 510 of the Laws of 1875,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was

referred Assembly bill G. O. 713, printed No. 620, entitled "An act to incorporate the Holstein Breeders Association of America," reported in favor of the passage of the same, with amendments as follows:

Section 1, line 1, change "H. C. Hoffman" to "Henry C. Hoffman;" line 2, change "W. L. Chenery" to "Winthrop L. Chenery," change "W. M. Singerly" to "William M. Singerly," change "S Hoxie" to "Solomon Hoxie;" line 3, strike out the names of "T. C. Maxwell, T. G. Youmans, W. C. Brayton;" lines 4 and 5, strike out names, "W. R. Barr, A. Bradley, L. Ellwood J. D. Guthrie;" line 5, change "E. Hindekoper" to "Edgar Hindekoper," change "D. Severy," to "Dexter Severy;" lines 6 and 7, strike out names of "D. D. Tracy, F. W. Wright, E. M. Washburn, and change "W. S. Tilton" to "William S. Tilton," change "P. Rothbarth" to "Paul Rothbarth," change "H. Waterman," to "Henry Waterman."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 814, printed No. 691, entitled "An act to exempt the county of Saratoga from the provisions of act chapter 733, Laws of 1872, so far as it authorizes the employment of assistant counsel to the district attorney of any county," reported in favor of the passage of the same, with amendments as follows:

Section 1, line 1, change the word "county" to "counties," strike out word "is" and insert "and Fulton are;" also to amend the title by changing the word "county" to "counties," and after the word "Saratoga" in the first line insert "and Fulton."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 806, printed No. 683, entitled "An act authorizing the incorporation of Villa Park and suburban homestead associations," reported in favor of the passage of the same, with amendments as follows:

Section 6, line 3, change the word "required" to "acquired;" line 21, strike out the word "to."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 732, printed No. 633, entitled "An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers,'" reported in favor of the passage of the same, with amendments as follows:

Section 1, line 6, strike out word "and;" also to add at the end of section 1 as follows: "Oswego, Rensselaer, Livingston and Erie."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill Int. No. 1003, G. O. , printed No. , entitled "An act to amend chapter 107 of the Laws of 1878, as further amended by chapter 367, Laws of 1878, entitled 'An act requiring justices of the peace to give bonds,'" reported in favor of the passage of the same, with an amendment as follows:

Section 2, strike out the word "immediately," and insert "January 1, 1881."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Ordered, That said bills be engrossed for a third reading.

On motion of Mr. Low, and by unanimous consent, the sub-committee of the whole was discharged from the further consideration of Assembly bill entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,'" and said bill was ordered to a third reading.

On motion of Mr. Husted, and by unanimous consent, the committee of the whole was discharged from the further consideration of Senate bill entitled "An act to amend chapter 272 of the Laws of 1879, entitled 'An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations,'" and said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|----------------|
| Alvord | Curtis | Ingersoll | Sherman |
| Andrews | Cushing | Kennedy | Shuit |
| Baker, B. F. | Davis | Lefever | Sipp |
| Baker, C. S. | Deane | Liddle | Skinner |
| Beach | Dougherty | Lindsay | Slingerland |
| Benedict, E. D. | Duell | Low | Steele |
| Benedict, T. R. | Duguid | McDonald | Strait |
| Bradley | Ellis | Mead | Tallmadge |
| Brennan | Evans | Miller | Terpeny |
| Bridges | Ferris | Mooers | Terry |
| Brodsky | Fish | Morgan | Thilemann |
| Carpenter, E. A. | Gibbs | O'Brien | Tozier |
| Case | Gillette | Peck | Tuthill, H. H. |
| Catlin | Gray | Phillips | Tuttle, R. M. |
| Chase | Griggs | Pitcher | Varnum |
| Chickering | Gwinup | Potter | Warner |
| Clark | Havens | Potts | Waterbury |
| Clowes | Hayes | Rhodes | Wells, D. A. |
| Cohen | Hoffman | Roberts | Wells, J. L. |
| Congdon | Howland | Root | Wiley |
| Cookinham | Hurd | Shanley | Wren |
| Costello | Husted | Sheridan | Youngs |
| Cullinan | | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to authorize the reception and treatment in Bellevue Hospital of persons who do not reside in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|----------|-----------|-------------|
| Alvord | Congdon | Husted | Sipp |
| Andrews | Costello | Ingersoll | Sisson |
| Baker, B. F. | Cullinan | Kennedy | Skinner |
| Baker, C. S. | Cushing | Lefever | Slingerland |
| Beach | Davis | Liddle | Steele |
| Benedict, E. D. | Deane | Lindsay | Strait |

| | | | |
|------------------|----------|----------|----------------|
| Bradley | Duell | McCarthy | Tallmadge |
| Brennan | Ellis | McDonald | Terry |
| Bridges | Evans | Mead | Thilemann |
| Brodsky | Ferris | Miller | Tozier |
| Bullock | Fish | Mooers | Tully |
| Carpenter, E. A. | Gillette | O'Brien | Tuthill, H. H. |
| Carpenter, I. S. | Gray | Parker | Tuttle, R. M. |
| Case | Griggs | Phillips | Varnum |
| Catlin | Gwinup | Potter | Waterbury |
| Chamberlain | Havens | Potts | Wells, D. A. |
| Chase | Hayes | Rhodes | Wells, J. L. |
| Childs | Hoffman | Roberts | Wiley |
| Clowes | Howland | Root | Wren |
| Cohen | Hurd | Shuit | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to secure the registration of the births of children of residents of the city of New York, occurring during the temporary absence from such city of the parents of such children respecting transcripts of the records," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Cushing | Lefever | Sipp |
| Andrews | Davis | Liddle | Sisson |
| Baker, C. S. | Deane | Lindsay | Skinner |
| Beach | Dougherty | McCarthy | Steele |
| Beates | Duell | McTernan | Strait |
| Benedict, E. D. | Ellis | Mead | Tallmadge |
| Benedict, T. E. | Evans | Miller | Terpeny |
| Bradley | Ferris | Morgan | Terry |
| Brennan | Fish | Newman | Tozier |
| Brodsky | Gillette | Nowlan | Travis |
| Carpenter, E. A. | Gray | Parker | Tully |
| Carpenter, I. S. | Griggs | Phillips | Tuthill, H. H. |
| Case | Gwinup | Pitcher | Tuttle, R. M. |
| Catlin | Hagan | Potter | Varnum |
| Childs | Havens | Potts | Waterbury |
| Clowes | Hayes | Rhodes | Wells, D. A. |
| Cohen | Hoffman | Root | Wells, J. L. |
| Congdon | Howland | Sheridan | Wiley |
| Cookinham | Ingersoll | Sherman | Wren |
| Costello | Kennedy | Shuit | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to authorize and direct the comptroller of the city of New York to pay the salary of James E. McVeany, as one of the assistant aldermen of the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the

final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 97 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Cushing | Low | Shuit |
| Andrews | Davis | McCarthy | Sipp |
| Baker, B. F. | Duell | McDonald | Sisson |
| Baker, C. S. | Duguid | McTernan | Skinner |
| Beach | Evans | Mead | Slingerland |
| Benedict, E. D. | Ferris | Miller | Strait |
| Benedict, T. E. | Fish | Mooers | Terpeny |
| Bradley | Fiske | Morgan | Terry |
| Brennan | Gillette | Newman | Thilemann |
| Bridges | Gorsline | Nowlan | Titus |
| Brodsky | Gray | O'Brien | Tozier |
| Bullock | Griggs | Parker | Travis |
| Carpenter, I. S. | Gwinup | Peck | Treanor |
| Case | Hagan | Phillips | Tully |
| Catlin | Havens | Pitcher | Tuthill, H. H. |
| Chamberlain | Hayes | Potter | Tuttle, R. M. |
| Chase | Hoffman | Potts | Varnum |
| Childs | Howland | Rhodes | Walsh |
| Clowes | Hurd | Roberts | Waterbury |
| Cohen | Ingersoll | Root | Wells, D. A. |
| Congdon | Kennedy | Sanders | Wells, J. L. |
| Cookinham | Lefever | Shanley | Wiley |
| Costello | Liddle | Sheridan | Wren |
| Cullinan | Lindsay | Sherman | Youngs |
| Curtis | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 461 of the Laws of 1867, entitled 'An act for the support and relief of the poor and for the government of the poor department in the county of Erie,' passed April 19, 1867," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|----------|----------|-------------|
| Alvord | Davis | McDonald | Skinner |
| Andrews | Deane | McTernan | Slingerland |
| Baker, B. F. | Duell | Mead | Steele |
| Baker, C. S. | Duguid | Miller | Strait |
| Beach | Ellis | Mooers | Tallmadge |
| Beates | Evans | Morgan | Terpeny |
| Benedict, E. D. | Ferris | Nowlan | Terry |
| Bradley | Fish | Parker | Thilemann |
| Brennan | Gillette | Phillips | Tozier |
| Bridges | Gray | Pitcher | Travis |

| | | | |
|------------------|-----------|----------|----------------|
| Brodsky | Griggs | Potter | Treanor |
| Carpenter, E. A. | Gwinup | Potts | Tully |
| Carpenter, I. S. | Hayes | Rhodes | Tuthill, H. H. |
| Catlin | Hoffman | Roberts | Tuttle, R. M. |
| Chamberlain | Howland | Root | Varnum |
| Chase | Hurd | Shanley | Waterbury |
| Childs | Ingersoll | Sheridan | Wells, D. A. |
| Congdon | Kennedy | Sherman | Wells, J. L. |
| Costello | Lefever | Shuit | Wiley |
| Cullinan | Liddle | Sipp | Wren |
| Curtis | McCarthy | Sisson | Youngs |
| Cushing | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to exempt Fulton county from the provisions and operations of chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Deane | Lindsay | Sisson |
| Andrews | Duell | McCabe | Skinner |
| Baker, B. F. | Duguid | McCarthy | Slingerland |
| Baker, C. S. | Ellis | McDonald | Steele |
| Beach | Evans | Mead | Strait |
| Beates | Ferris | Miller | Tallmadge |
| Benedict, E. D | Fish | Mooers | Terpeny |
| Brennan | Gibbs | Morgan | Terry |
| Bridges | Gillette | Newman | Thilemann |
| Brodsky | Gray | Nowlan | Tozier |
| Bullock | Griggs | O'Brien | Travis |
| Carpenter, E. A. | Gwinup | Parker | Tully |
| Carpenter, I. S. | Hagan | Pitcher | Tuthill, H. H. |
| Case | Havens | Potter | Tuttle, R. M. |
| Catlin | Hayes | Potts | Varnum |
| Chamberlain | Hoffman | Rhodes | Walsh |
| Chase | Howland | Root | Waterbury |
| Clark | Hurd | Shanley | Wells, D. A. |
| Costello | Husted | Sheridan | Wells, J. L. |
| Cullinan | Ingersoll | Sherman | Wiley |
| Curtis | Kennedy | Shuit | Wren |
| Cushing | Lefever | Sipp | Youngs |
| Davis | Liddle | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 184 of the Laws of 1839, entitled 'An act in relation to trusts for the benefit of the meetings of the religious society of Friends,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative,

a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Duguid | Miller | Slingerland |
| Baker, C. S. | Ellis | Mitchell | Steele |
| Beach | Evans | Mooers | Tallmadge |
| Beates | Fish | Newman | Terpeny |
| Benedict, E. D. | Fiske | O'Brien | Terry |
| Bridges | Gibbs | O'Connor | Thilemann |
| Brodsky | Gorsline | Peck | Tormey |
| Bullock | Gray | Phillips | Tozier |
| Carpenter, I. S. | Gwinup | Pitcher | Treanor |
| Case | Hagan | Potts | Tully |
| Chamberlain | Havens | Rhodes | Tuthill, H. H. |
| Childs | Husted | Roberts | Tuttle, R. M. |
| Clancy | Ingersoll | Root | Walsh |
| Clowes | Kennedy | Seeley | Wells, D. A. |
| Comstock | Lefever | Shanley | Wells, J. L. |
| Congdon | Lindsay | Sherman | Wiley |
| Cullinan | McAvoy | Shuit | Wren |
| Curtis | McCabe | Sipp | Youngs |
| Davis | McCarthy | Skinner | Mr. Speaker |
| Deane | McTernan | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Speaker offered for the consideration of the House a resolution in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of Assembly bill No. 628, entitled "An act to amend chapter 150 of the Laws of 1872, entitled 'An act to incorporate the city of Kingston;'" also, Assembly bill, introductory No. 1112, entitled "An act to issue bonds to pay the principal of bonded indebtedness of Kingston city," and that the same be ordered engrossed for a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The bill entitled "An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 71 }
{ NOES 9 }

Those who voted in the affirmative, were

| | | | |
|-----------------|--------|--------|-----------|
| Andrews | Duguid | Low | Steele |
| Baker, C. S. | Ellis | McAvoy | Strait |
| Beach | Evans | Miller | Tallmadge |
| Beates | Ferris | Mooers | Terpeny |
| Benedict, E. D. | Fish | Morgan | Terry |

| | | | |
|------------------|----------|----------|-----------------|
| Benedict, T. E. | Fiske | Newman | Thilemann |
| Bridges | Gillette | Nowlan | Tozier |
| Carpenter, E. A. | Griggs | Parker | Treanor |
| Carpenter, I. S. | Gwinup | Phillips | Tuthill, H. H. |
| Case | Hagan | Potter | Tuttle, R. M. |
| Clark | Havens | Potts | Van Valkenburgh |
| Congdon | Hayes | Rhodes | Varnum |
| Curtis | Hoffman | Root | Walsh |
| Cushing | Howland | Sanders | Wells, D. A. |
| Davis | Husted | Shanley | Wells, J. L. |
| Deane | Kennedy | Sheridan | Wren |
| Dougherty | Lefever | Sherman | Mr. Speaker |
| Duell | Liddle | Skinner | |

Those who voted in the negative, were

| | | | |
|---------|---------|-------------|--------|
| Alvord | Pitcher | Sipp | Tully |
| Bennett | Roberts | Slingerland | Youngs |
| Bradley | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Van Valkenburgh offered for the consideration of the House a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor requesting the return of Assembly bill No. 564, general orders No. 648, entitled "An act to amend an act to incorporate the city of Lockport."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate sent for concurrence the bills entitled as follows:

"An act to amend chapter 370 of the Laws of 1873, entitled 'An act to revise and amend an act entitled 'An act to incorporate the village of Port Jervis, passed March 30, 1866, and all acts relating thereto, and also repealing chapter 461 of the Laws of 1879,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act to amend chapter 448 of the Laws of 1863, entitled 'An act to incorporate the Society for the Protection of Destitute Roman Catholic Children in the city of New York,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to provide for the more economical opening of streets, avenues and roads in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to provide a police force for Coney Island and to enforce the various provisions of law to protect the shores of Coney Island and the waters adjacent thereto, and the bay of New York from being made foul or offensive," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

By unanimous consent,

Mr. Ellis offered for the consideration of the House a resolution in the words following:

Resolved. That Assembly bill No. 731, general orders No. 869, en-

titled "An act to amend chapter 8 of part 3 of the Revised Statutes, entitled "Of distraining cattle and other chattels doing damage, and of distraining in other cases," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Terry offered for the consideration of the House a resolution in the words following:

Resolved, That Senate bill No. 274, general orders No. 326, entitled "An act for the better preservation of trees and shrubbery on the islands of Lake George," be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The bill entitled "An act to change the name of Hamburg Cemetery Association to Prospect Lawn Cemetery Association, and to legalize certain acts of said association," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Davis | Lindsay | Shuit |
| Andrews | Deane | Low | Sipp |
| Baker, B. F. | Dougherty | McAvoy | Skinner |
| Baker, C. S. | Duell | McCarthy | Slingerland |
| Beach | Duguid | McDonald | Steele |
| Beates | Ellis | Mead | Strait |
| Benedict, E. D. | Evans | Miller | Tallmadge |
| Bradley | Fish | Mooers | Terpeny |
| Brennan | Fiske | Morgan | Terry |
| Bridges | Gillette | Nowlan | Thilemann |
| Brodsky | Gray | O'Brien | Tozier |
| Bullock | Griggs | Parker | Travis |
| Carpenter, E. A. | Gwinup | Phillips | Tully |
| Carpenter, I. S. | Havens | Pitcher | Tuthill, H. H. |
| Case | Hayes | Potter | Tuttle, R. M. |
| Catlin | Hoffman | Rhodes | Van Valkenburgh |
| Chase | Howland | Roberts | Varnum |
| Chickering | Hurd | Root | Walsh |
| Clark | Ingersoll | Sanders | Waterbury |
| Congdon | Kennedy | Shanley | Wells, D. A. |
| Cookinham | Lefever | Sheridan | Wells, J. L. |
| Cullinan | Liddle | Sherman | Wiley |
| Cushing | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Varnum offered for the consideration of the House a resolution in the words following:

Resolved, That Assembly bill No. 751, general orders No. 908, entitled "An act to amend an act to authorize the formation of railroad corporations, and to regulate the same, passed April 2, 1850," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Husted introduced a bill entitled "An act to amend section 3 of chapter 483 of the Laws of 1879, entitled 'An act to regulate the issuance of policies and the reissuance thereof, by fire insurance companies transacting business in this State,' passed June 7, 1879," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Senate bill entitled "An act to amend an act entitled 'An act to amend the charter of the city of Brooklyn, and the various amendments thereof,' passed June 28, 1873," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Cushing | Liddle | Shuit |
| Andrews | Davis | Lindsay | Sipp |
| Baker, B. F. | Deane | Low | Skinner |
| Baker, C. S. | Duell | McCarthy | Slingerland |
| Beach | Duguid | Mead | Steele |
| Beates | Ellis | Miller | Strait |
| Benedict, E. D. | Evans | Moors | Tallmadge |
| Brennan | Ferris | Morgan | Terpeny |
| Bridges | Fish | Nowlan | Terry |
| Brodsky | Fiske | O'Brien | Thilemann |
| Carpenter, E. A. | Gillette | Parker | Tozier |
| Carpenter, I. S. | Gray | Phillips | Travis |
| Case | Griggs | Pitcher | Tully |
| Chamberlain | Gwinup | Potter | Tuthill, H. H. |
| Chase | Hayes | Potts | Tuttle, R. M. |
| Childs | Hoffman | Rhodes | Varnum |
| Clark | Howland | Roberts | Waterbury |
| Congdon | Hurd | Root | Wells, D. A. |
| Cookinham | Ingersoll | Shanley | Wells, J. L. |
| Costello | Kennedy | Sheridan | Wiley |
| Cullinan | Lefever | Sherman | Youngs |
| Curtis | | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to enable the electors of the town of Mayfield, Fulton county, N. Y., to vote by districts for town officers," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }
{ NOES 2 }

Those who voted in the affirmative, were

| | | | |
|---------|-----------|---------|---------|
| Alvord | Dougherty | Liddle | Sanders |
| Andrews | Duell | Lindsay | Shuit |

| | | | |
|------------------|-----------|----------|----------------|
| Baker, B. F. | Ellis | Low | Sipp |
| Baker, C. S. | Evans | McCarthy | Skinner |
| Beach | Ferris | McDonald | Slingerland |
| Beates | Fish | Mead | Strait |
| Benedict, E. D. | Fiske | Miller | Tallmadge |
| Bradley | Gillette | Mooers | Terpeny |
| Brennan | Gray | Morgan | Terry |
| Bridges | Griggs | Nowlan | Tozier |
| Brodsky | Gwinup | O'Brien | Travis |
| Carpenter, E. A. | Hagan | Parker | Tuthill, H. H. |
| Chase | Havens | Phillips | Tuttle, R. M. |
| Clowes | Hayes | Pitcher | Warner |
| Congdon | Hoffman | Potter | Waterbury |
| Cullinan | Howland | Potts | Wells, D. A. |
| Curtis | Ingersoll | Rhodes | Wells, J. L. |
| Cushing | Kennedy | Roberts | Wiley |
| Davis | Lefever | Root | Youngs |
| Deane | | | |

Those who voted in the negative, were
Benedict, T. E. Shanley

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Titus, from the sub-committee of the whole, presented a report from said committee, which was laid upon the table and ordered printed.

(See Doc. No. 130.)

Mr. Chickering offered for the consideration of the House a resolution in the words following:

Whereas, This Assembly has been informed of the near approach of the one hundredth birthday of the Honorable Levi Robbins, of Lewis county, who was a member of the Assembly in 1819, and who is, without doubt, the oldest living ex-member of Assembly; therefore,

Resolved, That the Assembly of 1880 hereby extends to the Honorable Levi Robbins its hearty congratulations upon the arrival of this interesting event in his honored life, which marks with so much significance the rounding off of a full century of existence, crowned as it is with the consciousness of having done his duty to his State, and having been faithful to his public trusts when our great Commonwealth was just entering upon her career of power and greatness. As he was true to every public obligation reposed in him, may his declining years be filled with pleasant recollections of the great past covered by his long life, and of the notable events which its history embraces, and may every comfort of mind and body be his to the end of his days; also,

Resolved, That a copy of this preamble and resolution be engrossed and forwarded to Mr. Robbins.

Mr. Speaker put the question on the adoption of said resolution, and it was adopted unanimously by a rising vote.

Senate bill entitled "An act to amend chapter 53 of the Laws of 1879, entitled 'An act to revise the charter of the city of Auburn,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 96 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Cushing | Liddle | Sheridan |
| Andrews | Davis | Lindsay | Sherman |
| Baker, B. F. | Deane | Low | Shuit |
| Baker, C. S. | Dougherty | McAvoy | Sipp |
| Beach | Duell | McCarthy | Skinner |
| Beates | Duguid | McDonald | Slingerland |
| Benedict, E. D. | Ellis | McTernan | Steele |
| Benedict, T. E. | Evans | Mead | Strait |
| Bradley | Ferris | Miller | Tallmadge |
| Brennan | Fish | Mooers | Terpeny |
| Bridges | Fiske | Morgan | Terry |
| Brodsky | Gillette | Newman | Thilemann |
| Bullock | Gray | Nowlan | Tozier |
| Carpenter, E. A. | Griggs | O'Brien | Travis |
| Carpenter, I. S. | Gwinup | Parker | Tuthill, H. H. |
| Case | Hagan | Peck | Tuttle, R. M. |
| Catlin | Havens | Phillips | Van Valkenburgh |
| Chase | Hayes | Potter | Varnum |
| Chickering | Hoffman | Potts | Warner |
| Clark | Howland | Rhodes | Waterbury |
| Clowes | Hurd | Root | Wells, D. A. |
| Congdon | Ingersoll | Sanders | Wells, J. L. |
| Cullinan | Kennedy | Seeley | Wiley |
| Curtis | Lefever | Shanley | Youngs |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

A message from the Senate was received and read, informing of concurrence in the following resolution:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return of Assembly bill entitled "An act to amend an act to incorporate the city of Lockport."

Ordered, That the Clerk deliver said resolution to the Governor.

The bill entitled "An act to amend chapter 555, Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|----------|-------------|
| Alvord | Cushing | Liddle | Sheridan |
| Andrews | Davis | Lindsay | Sherman |
| Baker, B. F. | Deane | Low | Shuit |
| Baker, C. S. | Dougherty | McAvoy | Sipp |
| Beach | Duell | McCarthy | Skinner |
| Beates | Duguid | McDonald | Slingerland |
| Benedict, E. D. | Ellis | McTernan | Steele |
| Bradley | Evans | Mead | Strait |
| Brennan | Ferris | Miller | Tallmadge |
| Bridges | Fish | Mooers | Terpeny |

| | | | |
|------------------|-----------|----------|-----------------|
| Brodsky | Gibbs | Morgan | Terry |
| Bullock | Gillette | Nowlan | Tozier |
| Carpenter, E. A. | Gray | O'Brien | Travis |
| Carpenter, I. S. | Griggs | Parker | Tuthill, H. H. |
| Case | Gwinup | Peck | Tuttle, R. M. |
| Catlin | Havens | Phillips | Van Valkenburgh |
| Chickering | Hayes | Pitcher | Varnum |
| Childs | Hoffman | Potter | Waterbury |
| Clark | Howland | Potts | Wells, D. A. |
| Clowes | Hurd | Rhodes | Wells, J. L. |
| Comstock | Ingersoll | Root | Wiley |
| Congdon | Kennedy | Sanders | Wren |
| Cullinan | Lefever | Shanley | Youngs |
| Curtis | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend section 37, chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish, and other game,'" passed June 20, 1879, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Curtis | Lefever | Shuit |
| Andrews | Cushing | Liddle | Sipp |
| Baker, B. F. | Davis | McAvoy | Skinner |
| Baker, C. S. | Deane | McCarthy | Slingerland |
| Beach | Dougherty | McDonald | Steele |
| Beates | Duell | Mead | Strait |
| Benedict, E. D. | Duguid | Miller | Tallmadge |
| Benedict, T. E. | Ellis | Mooers | Terpeny |
| Bennett | Evans | Morgan | Terry |
| Brennan | Fish | Newman | Tozier |
| Bridges | Fiske | O'Brien | Travis |
| Brodsky | Gillette | Parker | Tuthill, H. H. |
| Bullock | Gray | Peck | Tuttle, R. M. |
| Carpenter, E. A. | Griggs | Phillips | Van Valkenburgh |
| Carpenter, I. S. | Gwinup | Pitcher | Varnum |
| Case | Havens | Potter | Warner |
| Catlin | Hayes | Potts | Waterbury |
| Chase | Hoffman | Rhodes | Wells, D. A. |
| Chickering | Howland | Root | Wells, J. L. |
| Clark | Hurd | Shanley | Wiley |
| Clowes | Husted | Sheridan | Wren |
| Congdon | Ingersoll | Sherman | Youngs |
| Cullinan | Kennedy | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Senate was received in the words following:

IN SENATE, April 30, 1880.

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to amend

chapter 391 of the Laws of 1878, entitled 'An act authorizing the city of Binghamton to use a portion of the Chenango canal for a public street.'

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. Halbert, and by unanimous consent, the jurat of the same was changed to two-thirds instead of three-fifths.

And repassed, two-thirds voting in favor thereof, and ordered sent to the Assembly for concurrence.

By order.

JOHN W. VROOMAN, *Clerk.*

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 101 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Cushing | Liddle | Sheridan |
| Andrews | Davis | Lindsay | Sherman |
| Ash | Deane | Low | Shuit |
| Baker, B. F. | Dougherty | McAvoy | Sipp |
| Baker, C. S. | Duell | McCarthy | Skinner |
| Beach | Duguid | McDonald | Slingerland |
| Beates | Ellis | McTernan | Steele |
| Benedict, E. D. | Evans | Mead | Strait |
| Benedict, T. E. | Ferris | Miller | Tallmadge |
| Bennett | Fish | Mitchell | Terpeny |
| Bradley | Fiske | Mooers | Terry |
| Brennan | Gillette | Morgan | Thilemann |
| Bridges | Gray | Newman | Tozier |
| Brodsky | Griggs | Nowlan | Travis |
| Carpenter, E. A. | Gwinup | O'Brien | Tully |
| Carpenter, I. S. | Hagan | Parker | Tuthill, H. H. |
| Case | Havens | Peck | Tuttle, R. M. |
| Catlin | Hayes | Pitcher | Van Valkenburgh |
| Chase | Hoffman | Potter | Varnum |
| Chickering | Howland | Potts | Warner |
| Childs | Hurd | Rhodes | Waterbury |
| Clark | Husted | Roberts | Wells, D. A. |
| Clowes | Ingersoll | Root | Wells, J. L. |
| Congdon | Kennedy | Sanders | Wiley |
| Cullinan | Lefever | Shanley | Wren |
| Curtis | | | |

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 97 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|--------------|-----------|---------|----------|
| Alvord | Cushing | Lefever | Shanley |
| Andrews | Davis | Liddle | Sheridan |
| Baker, B. F. | Deane | Lindsay | Sherman |
| Baker, C. S. | Dougherty | Low | Shuit |
| Beach | Duell | McAvoy | Sipp |

| | | | |
|------------------|-----------|----------|-----------------|
| Beates | Duguid | McCarthy | Skinner |
| Benedict, E. D. | Ellis | McDonald | Slingerland |
| Benedict, T. E. | Evans | McTernan | Steele |
| Bennett | Ferris | Miller | Strait |
| Bradley | Fish | Mitchell | Tallmadge |
| Brennan | Fiske | Mooers | Thilemann |
| Bridges | Gillette | Morgan | Tozier |
| Brodsky | Gray | Newman | Travis |
| Carpenter, E. A. | Griggs | Nowlan | Tully |
| Carpenter, I. S. | Gwinup | O'Brien | Tuthill, H. H. |
| Case | Hagan | Parker | Tuttle, R. M. |
| Catlin | Havens | Peck | Van Valkenburgh |
| Chase | Hayes | Pitcher | Varnum |
| Chickering | Hoffman | Potter | Warner |
| Clark | Howland | Potts | Waterbury |
| Clowes | Hurd | Rhodes | Wells, D. A. |
| Congdon | Husted | Roberts | Wiley |
| Costello | Ingersoll | Root | Wren |
| Cullinan | Kennedy | Sanders | Youngs |
| Curtis | | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

Senate bill entitled "An act to authorize corporations formed for the erection of buildings to mortgage their property and franchises," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES '80 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Cullinan | Liddle | Sherman |
| Andrews | Curtis | Lindsay | Shuit |
| Baker, B. F. | Cushing | Low | Sipp |
| Baker, C. S. | Davis | McAvoy | Skinner |
| Beach | Deane | McCarthy | Slingerland |
| Beates | Duell | McDonald | Strait |
| Benedict, E. D. | Duguid | Miller | Tallmadge |
| Bradley | Evans | Mitchell | Terry |
| Brennan | Ferris | Mooers | Tozier |
| Bridges | Fish | Morgan | Travis |
| Brodsky | Fiske | Newman | Tully |
| Carpenter, E. A. | Gray | Nowlan | Tuthill, H. H. |
| Carpenter, I. S. | Gwinup | O'Brien | Van Valkenburgh |
| Case | Hagan | Peck | Varnum |
| Catlin | Hayes | Phillips | Waterbury |
| Chickering | Hoffman | Pitcher | Wells, D. A. |
| Childs | Howland | Potter | Wells, J. L. |
| Clark | Husted | Potts | Wiley |
| Clowes | Ingersoll | Rhodes | Wren |
| Congdon | Lefever | Root | Youngs |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to legalize the action of the annual town meeting of the town of Johnstown, in the county of Fulton, held on

the 10th and 11th of February, 1880, in raising money for roads and bridges, and authorizing the collection thereof," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Davis | McCarthy | Sipp |
| Andrews | Deane | McDonald | Skinner |
| Baker, B. F. | Dougherty | Miller | Slingerland |
| Baker, C. S. | Duell | Mitchell | Steele |
| Beach | Duguid | Morgan | Strait |
| Beates | Ellis | Newman | Tallmadge |
| Benedict, E. D. | Evans | Nowlan | Terry |
| Bennett | Fish | O'Brien | Tozier |
| Bradley | Fiske | Parker | Travis |
| Brennan | Gray | Peck | Treanor |
| Bridges | Griggs | Phillips | Tuthill, H. H. |
| Brodsky | Gwinup | Pitcher | Varnum |
| Carpenter, E. A. | Hayes | Potts | Walsh |
| Carpenter, I. S. | Hoffman | Rhodes | Waterbury |
| Catlin | Husted | Root | Wells, D. A. |
| Chase | Kennedy | Sanders | Wells, J. L. |
| Clark | Lefever | Shanley | Wiley |
| Clowes | Liddle | Sherman | Wren |
| Congdon | Lindsay | Shuit | Youngs |
| Curtis | Low | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 133 of the Laws of 1847, entitled 'An act authorizing the incorporation of rural cemetery associations, and the acts amendatory thereof,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Dougherty | Low | Skinner |
| Andrews | Duell | McAvoy | Slingerland |
| Beach | Duguid | Miller | Steele |
| Beates | Ellis | Mitchell | Strait |
| Benedict, E. D. | Evans | Mooers | Tallmadge |
| Benedict, T. E. | Fish | Morgan | Terpeny |
| Bradley | Fiske | Newman | Terry |
| Brodsky | Gray | Nowlan | Tozier |
| Carpenter, E. A. | Griggs | O'Brien | Travis |
| Carpenter, I. S. | Gwinup | Parker | Tuthill, H. H. |
| Catlin | Hagan | Peck | Tuttle, R. M. |
| Chase | Havens | Pitcher | Van Valkenburgh |
| Chickering | Hayes | Potter | Varnum |
| Clark | Hoffman | Potts | Waterbury |

| | | | |
|---------|---------|---------|--------------|
| Clowes | Howland | Rhodes | Wells, D. A. |
| Congdon | Husted | Root | Wells, J. L. |
| Curtis | Kennedy | Shanley | Wiley |
| Cushing | Lefever | Sherman | Wren |
| Davis | Liddle | Shuit | Youngs |
| Deane | Lindsay | Sipp | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 265 of the Laws of 1848, entitled 'An act to provide for the incorporation and regulation of telegraph companies,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 76 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Davis | Liddle | Shuit |
| Andrews | Deane | Lindsay | Sipp |
| Beach | Dougherty | Low | Skinner |
| Beates | Duell | McAvoy | Slingerland |
| Benedict, E. D. | Duguid | McCarthy | Strait |
| Benedict, T. E. | Ellis | McDonald | Tallmadge |
| Bradley | Fish | McTernan | Terpeny |
| Brennan | Fiske | Newman | Terry |
| Bridges | Gray | O'Brien | Tozier |
| Brodsky | Griggs | Peck | Travis |
| Carpenter, E. A. | Gwinup | Pitcher | Tully |
| Carpenter, J. S. | Hagan | Potter | Tuttle, R. M. |
| Case | Havens | Potts | Van Valkenburgh |
| Catlin | Hayes | Rhodes | Varnum |
| Chickering | Hoffman | Root | Waterbury |
| Clark | Hurd | Sanders | Wells, J. L. |
| Clowes | Husted | Shanley | Wiley |
| Congdon | Kennedy | Sheridan | Wren |
| Curtis | Lefever | Sherman | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to incorporate the German Masonic Temple Association of the city of New York," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 78 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|------------|-------------|
| Alvord | Curtis | Ingersoll. | Sanders |
| Andrews | Cushing | Kennedy | Shanley |
| Baker, C. S. | Davis | Lefever | Sherman |
| Beach | Deane | Liddle | Sipp |
| Beates | Dougherty | Lindsay | Skinner |
| Benedict, E. D. | Duell | Low | Slingerland |
| Benedict, T. E. | Duguid | McAvoy | Strait |
| Bradley | Ellis | McCarthy | Tallmadge |

| | | | |
|------------------|---------|----------|-----------------|
| Bridges | Evans | McDonald | Terpeny |
| Brodsky | Ferris | McTernan | Terry |
| Carpenter, E. A. | Fish | Newman | Tozier |
| Carpenter, I. S. | Fiske | Nowlan | Travis |
| Case | Gray | O'Brien | Tully |
| Catlin | Griggs | Parker | Van Valkenburgh |
| Chickering | Gwinup | Peck | Varnum |
| Clark | Hagan | Phillips | Walsh |
| Clowes | Hayes | Pitcher | Wells, J. L. |
| Congdon | Hoffman | Rhodes | Wren. |
| Cookinham | Hurd | Root | Youngs |
| Cullinan | Husted | | |

Those who voted in the negative, were

Potts

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Sharpe (introductory No. 811), entitled "An act providing for the holding of the annual town meeting of the town of Esopus at three polls," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. E. D. Benedict introduced a bill entitled "An act to secure to inmates of reformatory institutions freedom of worship," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons.

The bill entitled "An act in relation to taxes and assessments levied prior to January 1, 1874, in the towns annexed from the county of Westchester to the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 70 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Davis | Low | Skinner |
| Andrews | Deane | McAvoy | Slingerland |
| Beach | Duell | McCarthy | Strait |
| Beates | Duguid | McTernan | Tallmadge |
| Benedict, E. D. | Ellis | Mead | Terpeny |
| Benedict, T. E. | Evans | Mitchell | Terry |
| Bradley | Fish | Morgan | Tozier |
| Brodsky | Gray | Nowlan | Travis |
| Carpenter, E. A. | Gwinup | Parker | Tuthill, H. H. |
| Carpenter, I. S. | Hagan | Peck | Van Valkenburgh |
| Case | Hayes | Pitcher | Varnum |
| Chamberlain | Hoffman | Potts | Walsh |
| Chickering | Hurd | Rhodes | Wells, J. L. |
| Clark | Ingersoll | Root | Wiley |
| Clowes | Kennedy | Sanders | Wren |
| Congdon | Lefever | Shanley | Youngs |
| Cullinan | Liddle | Sipp | Mr. Speaker |
| Curtis | Lindsay | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Skinner offered for the consideration of the House a resolution in the words following:

Resolved, That Assembly bill entitled "An act relative to annual town meetings in the town of Esopus," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Cowles offered for the consideration of the House a resolution in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of Assembly bill No. 747, general orders No. 903, entitled "An act in relation to unpaid taxes and water assessments in Long Island City," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Wren offered for the consideration of the House a resolution in the words following:

Resolved, That Assembly bill No. 472, entitled "An act to amend chapter 633 of the Laws of 1875, entitled 'An act to amend the charter of the city of Brooklyn, being the act for that purpose passed June 28, 1873, and the act for that purpose passed June 1, 1874,'" be sent to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Alvord, and at twelve o'clock and fifty-five minutes, the House adjourned.

MONDAY. EVENING, MAY 3, 1880.

The House met pursuant to adjournment.

Prayer by Rev. D. L. Schwartz.

The journal of Friday was read and approved.

By unanimous consent,

Mr. Terry introduced a bill entitled "An act conferring upon the board of Canal Appraisers the power to allow amendments to claims," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Terry, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Crapsr | Liddle | Sisson |
| Andrews | Cullinan | Lindsay | Skinner |
| Baker, C. S. | Cushing | Low | Slingerland |
| Beach | Davis | McCabe | Steele |
| Beates | Deane | McCarthy | Strait |
| Benedict, E. D. | Duell | Mead | Tallmadge |
| Benedict, T. E. | Ferris | Miller | Terpeny |
| Bennett | Fish | Mooers | Terry |
| Bridges | Fiske | Parker | Thilemann |
| Brodsky | Gorsline | Peck | Tozier |
| Carpenter, I. S. | Gray | Phillips | Travis |
| Case | Griggs | Potts | Tuthill, H. H. |
| Catlin | Hagan | Russell | Van Valkenburgh |
| Chamberlain | Havens | Sanders | Walsh |
| Chase | Hayes | Seeley | Waterbury |
| Chickering | Howland | Shanley | Wells, J. L. |
| Childs | Hurd | Sheridan | Weston |
| Clark | Husted | Sherman | Wren |
| Clowes | Ingersoll | Shuit | Youngs |
| Comstock | Kennedy | Sipp | Mr. Speaker |
| Cookinham | Lefever | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Van Valkenburgh called from the table the report of the sub-committee of the whole as found in Assembly Documents 130, 131 and 132, in words following:

Report of the sub-committee of the whole.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 379, printed No. 117, entitled "An act to authorize the Buffalo City Cemetery Association to acquire additional land and to erect a building for office purposes," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 783, printed No. 195, entitled "An act to incorporate the Temple Beth Zion of Buffalo, New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 579, printed No. 29, entitled "An act to establish the compensation of the county judge and judge and surrogate of the county of Orange," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 756, printed No. 190, entitled "An act to provide for the reporting of appointments to the benevolent institutions of the State," reported in favor of the passage of the same, with amendments as follows:

To add at the end of section six the following: "To which he is required to make such report;" strike out section nine, and insert in lieu thereof the following:

§ 9. Nothing in this act contained shall be held to apply to the county of Kings.

Change section "nine" to section "ten;" also to amend the title by adding at the end the following: "Excepting the county of Kings."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 494, printed No. 448, entitled "An act to confirm the official acts of James S. Williams, Endelmer E. Moon and Theodore S. Cowles, commissioners of excise in and for the town of Tully, in the county of Onondaga," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 680, printed No. 594, entitled "An act to amend section twenty-seven, article two, title two, chapter one, part four of the Revised Statutes of the State of New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 771, printed No. 657, entitled "An act to incorporate the Robert Emmet Philo-Celtic Literary Society in the city of New York," reported in favor of the passage of the same, with an amendment as follows :

Section one, line one, change "Wm." to "William."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 657, printed No. 573, entitled "An act to amend section two of chapter four hundred and five of the Laws of eighteen hundred and seventy-nine, entitled 'An act to amend sections two and ten of chapter two hundred and forty eight of the Laws of eighteen hundred and seventy-eight,' " reported in favor of the passage of the same, with amendments as follows :

Section one, line eight, strike out the word "second."

Line ten, strike out the word "ten," also words "in the forenoon, also the word "two."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 371, printed No. 400, entitled "An act for the incorporation of mutual tontine annuity societies," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 614, printed No. 539, entitled "An act to incorporate the Bachelor Club of the city of New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 760, printed No. 651, entitled "An act to amend chapter four hundred and forty-one of the Laws of eighteen hundred and sixty-four, entitled 'An act in relation to the performance of highway labor in Queens county,' " reported in favor of the passage of the same, with amendments as follows :

Strike out section seventeen and insert in lieu thereof the following:

SECTION 17. One of the members of said board of highway commissioners shall act as secretary of said board, and shall receive therefor compensation not to exceed, in amount, the sum of two hundred dollars in any one year."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 603, printed No. 531, entitled "An act amending subdivision seven, chapter four hundred and forty-eight of the Laws of eighteen hundred and seventy-six, commonly known as the Code of Civil Procedure," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 747, printed No. 645, entitled "An act to

secure the payment of mechanics, laborers and workmen who perform work, also persons furnishing materials toward the erection, altering or repairing buildings, wharves, vaults or any other structure in the cities of the State of New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 486, printed No. 440, entitled "An act for relief of Isaac Piser," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 511, printed No. 120, entitled "An act to enforce the assessments of shareholders in banking associations to make good a deficit in capital," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 787, printed No. 92, entitled "An act to change the name of, and in relation to, the Association for Befriending Children," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill Int. 616, G. O. 919, not printed, entitled "An act to amend chapter two hundred and seventeen of the Laws of eighteen hundred and seventy-five, entitled 'An act relative to the Farmers' Loan and Trust Company,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill Int. No. 1052, G. O. 934, not printed, entitled "An act to provide for the payment of certain work executed in connection with the construction of the outlet sewer in East Forty-second street in the city of New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill Int. No. 1109, G. O. 914, not printed, entitled "An act to provide for the better protection of discharged or pardoned convicts, and to prevent breaches of the public peace, and to punish violations thereof," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 822, printed No. 694, entitled "An act to amend section five of article one, title two, chapter eleven of part one of the Revised Statutes, relating to town meetings," reported in favor of the passage of the same, with an amendment as follows:

To add at the end of section thirteen the following:

"But no moneys shall be so raised for the maintenance and support of fire companies in any incorporated village of such town."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 887, printed No. 741, entitled "An act to further amend an act entitled 'An act to amend an act to prevent animals from running at large in the public highways, passed April twenty-third, eighteen hundred and sixty-two, and to create a short bar to actions arising under said act,' passed May ninth, eighteen hundred and sixty-seven," reported in favor of the passage of the same, with an amendment as follows:

To amend the title by striking out, in the first line, the word "fur-

ther," also the words "an act where the same appear first, and inserting after the first word "amend" the words "chapter four hundred and twenty-four of the Laws of eighteen hundred and sixty-nine."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 715, printed No. 622, entitled "An act to vest in the board of supervisors certain additional powers," reported in favor of the passage of the same, with amendments as follows:

To add as section two the following:

Section 2. Nothing in this act shall affect the counties of Erie, Niagara, Monroe, Otsego, Jefferson, Ontario, Tioga, Suffolk, Oneida or Albany."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 861, printed No. 723, entitled "An act to authorize summary proceedings by mandamus against common carriers," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 776, printed No. 662, entitled "An act to authorize and direct the county clerk of Richmond county to record certain papers now on file in the Richmond county clerk's office," reported in favor of the passage of the same, without amendment.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Ordered, That said bills be engrossed for a third reading.

Mr. Speaker presented a list of bills as selected by the Speaker and Clerk, and referred to the sub-committee of the whole; which was laid on the table and ordered printed.

No. 703, G. O. 831, Mr. Lindsay: "An act to amend chapter 554 of the Laws of 1873, entitled 'An act amending chapter 837, Laws of 1868, and chapter 623, Laws of 1869, in reference to the laying out, opening and continuing Bushwick avenue, in the town of New Lots, Kings county.'"

No. 739, G. O. 885, Mr. Clowes: "An act in relation to assessments for taxes in Long Island City."

No. 680, G. O. 801, Mr. Clowes: "An act to repeal an act entitled 'An act to create a metropolitan sanitary district and a board of health therein for the preservation of life and health and to prevent the spread of disease, passed February 26, 1866, so far as it relates to the town of Newtown, Queens county, and to provide for the appointment of a board of health in said town, and defining its powers and duties.'"

No. 746, G. O. 900, Mr. Russell: "An act to release to the trustees of the Philadelphia Eye and Ear Infirmary any claim to the estate of Ann Margaret Shinn, deceased."

No. 731, G. O. 869, Mr. Ellis: "An act to amend chapter 8 of part 3 of the Revised Statutes, entitled 'Of distraining cattle and other chattels doing damage, and of distraining in other cases.'"

No. 591, G. O. 676, Mr. Chickering: "An act to amend section 9, title 1, chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages.'"

No. 721, G. O. 859, Mr. Evans: "An act to legalize the official acts of Casper B. Vescelius, a justice of the peace in the county of Seneca."

No. 689, G. O. 812, Mr. Russell: "An act to amend 'An act relating to courts, officers of justice and civil proceedings,' passed June 2, 1876."

No. 747, G. O. 903, Mr. Youngs: "An act in relation to unpaid taxes and water assessments in Long Island City."

No. 722, G. O. 860, Mr. Travis: "An act to amend chapter 332 of the Laws of 1875, entitled 'An act to amend chapter 610 of Laws of 1874, entitled 'An act to authorize the sale of lands for non-payment of taxes and for the collection of unpaid taxes in the several towns of the county of Westchester.'"

No. 535, G. O. 607, Mr. Russell: "An act releasing all the right, title and interest of the people of the State of New York to and in certain lands in the city of Brooklyn, eastern district, formerly town of Bushwick, county of Kings, formerly lying in the East river."

No. 537, G. O. 611, Mr. Terry: "An act to encourage improvement in steam propulsion upon the Champlain canal."

No. 725, G. O. 865, Mr. Nowlan: "An act to amend chapter 297 of the Laws of 1862, entitled 'An act to incorporate the fire department of the village of Owego, passed April 17, 1862.'"

No. 696, G. O. 824, Mr. Sharpe: "An act to amend chapter 126 of the Laws of 1861, entitled 'An act to authorize the election of one overseer of the poor in the town of Saugerties, Ulster county.'"

No. 711, G. O. 847, Mr. Sharpe: "An act to further amend chapter 262 of the Laws of 1855, entitled 'An act revising and amending an act entitled 'An act to incorporate the village of Ulster.'"

No. 690, G. O. 813, Mr. Cohen: "An act to incorporate the Friendship Association of the city of New York."

No. 720, G. O. 858, Mr. Treanor: "An act for the protection of sureties on the bonds of contractors with municipal corporations."

No. 719, G. O. 857, Mr. Bradley: "An act to amend chapter 570 of the Laws of 1872, entitled 'An act to ascertain by proper proofs the citizens who shall be entitled to the right of suffrage in the State of New York, except in the city and county of New York and the city of Brooklyn, and to repeal chapter 572 of the Laws of 1871, entitled 'An act to amend an act entitled 'An act in relation to elections in the city and county of New York.'"

No. 538, G. O. 612, Mr. Mead: "An act to authorize cities and incorporated villages to charge license fees to persons doing a retail business on the canals of this State."

No. 665, G. O. 779, Mr. Mitchell: "An act to amend an act entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed February 17, 1848, and for other purposes."

No. 685, G. O. 808, Mr. Husted: "An act to amend chapter 806 of the Laws of 1868, entitled 'An act to incorporate the Fire Proof Warehousing Company,' passed May 9, 1868."

No. 704, G. O. 832, Mr. O'Connor: "An act to incorporate the 'Empire Yacht Club' of the city of New York."

Senate bill No. 233, G. O. 881, Mr. Astor: "An act to further amend chapter 908 of the Laws of 1867, entitled 'An act for the regulation of tenement and lodging houses in the cities of New York and Brooklyn, as amended by chapter 504 of the Laws of 1879.'"

Senate bill No. 203, G. O. 654, Mr. Mills: "An act to amend chapter 330 of the Laws of 1850, entitled 'An act reincorporating the village of Little Falls by the name of Rockton, and the laws amendatory thereof.'"

Senate bill No. 250, G. O. 839, Mr. Schroeder: "An act to amend chapter 604 of the Laws of 1875, entitled 'An act to prevent the deposit of carrion, offal or dead animals in the North and East rivers,

or in the bay of New York, or in Raritan bay within the jurisdiction of the State of New York.' "

Senate bill No. 177, G. O. 695, Mr. Pitts: "An act to provide for the formation of county co-operative insurance companies."

Senate bill No. 177, G. O. 765, Mr. Pitts: "An act concerning the grounds, buildings and property of the State provided for normal schools, the custody, protection and preservation of the same, and the powers of local boards in relation thereto."

Senate bill No. 119, G. O. 864, Mr. Schroeder: "An act to allow the continued use of a business name or designation in certain cases."

Senate bill No. 183, G. O. 871, Mr. Jacobs: "An act to amend chapter 280 of the Laws of 1847, entitled 'An act in relation to the judiciary.' "

Senate bill No. 145, G. O. 526, Mr. Woodin: "An act to amend chapter 524 of the Laws of 1853, entitled 'An act to amend an act entitled 'An act to incorporate the Montezuma Turnpike and Bridge Company.' "

Mr. Husted moved to recommit Senate bill entitled "An act to protect the holders of casualty insurance policies, and to prevent the use of fictitious or deceptive names by individuals or corporations doing such insurance," to the committee on insurance, with instructions to strike out the enacting clause.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Skinner moved to reconsider the vote by which said motion of Mr. Husted was carried.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

By unanimous consent,

Mr. Terry offered for the consideration of the House a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting him to return Assembly bill No. 243, entitled "An act repealing certain acts and parts of acts," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate sent for concurrence the bills entitled as follows:

"An act authorizing the board of trustees of the village of Danforth to issue bonds for the purpose of building a school-house in said village, pursuant to a vote of its citizens at a special election held April 10, 1880," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act to amend chapter 123 of the Laws of 1854, entitled 'An act to promote medical science,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

"An act to enable marine insurance companies incorporated under the laws of this State to amend their charter," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

"An act to amend chapter 440 of the Laws of 1876, entitled 'An act

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Crapser | Lefever | Shuit |
| Andrews | Cullinan | Liddle | Sipp |
| Baker, B. F. | Cushing | Lindsay | Sisson |
| Baker, C. S. | Davis | Low | Skinner |
| Beach | Deane | McCabe | Slingerland |
| Beates | Duell | McCarthy | Steele |
| Benedict, E. D. | Ferris | Mead | Tallmadge |
| Benedict, T. E. | Fish | Miller | Terpeny |
| Bennett | Fiske | Mooers | Terry |
| Bridges | Gorsline | Nowlan | Thilemann |
| Brodsky | Gray | Parker | Tozier |
| Carpenter, I. S. | Griggs | Peck | Travis |
| Case | Gwinup | Phillips | Tuthill, H. H. |
| Catlin | Hagan | Potter | Van Valkenburgh |
| Chamberlain | Havens | Potts | Walsh |
| Chickering | Hayes | Rhodes | Waterbury |
| Clancy | Howland | Russell | Wells, J. L. |
| Clark | Hurd | Seeley | Weston |
| Clowes | Husted | Shanley | Wren |
| Comstock | Ingersoll | Sheridan | Youngs |
| Cookinham | Kennedy | Sherman | Mr. Speaker |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to amend chapter 868, Laws of 1872, entitled 'An act to incorporate the United States Loan and Security Company,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|----------|-----------------|
| Alvord | Davis | Lindsay | Sisson |
| Baker, C. S. | Deane | Low | Skinner |
| Beach | Duell | McCabe | Slingerland |
| Beates | Ferris | McCarthy | Steele |
| Benedict, E. D. | Fish | Mead | Tallmadge |
| Benedict, T. E. | Fiske | Miller | Terpeny |
| Bridges | Gorsline | Mooers | Terry |
| Brodsky | Gray | Peck | Thilemann |
| Carpenter, I. S. | Griggs | Phillips | Tozier |
| Case | Gwinup | Potter | Travis |
| Catlin | Hagan | Potts | Treanor |
| Chamberlain | Havens | Rhodes | Tuthill, H. H. |
| Childs | Hayes | Russell | Van Valkenburgh |
| Clancy | Howland | Sanders | Walsh |
| Clark | Hurd | Seeley | Waterbury |
| Clowes | Husted | Shanley | Wells, J. L. |

| | | | |
|-----------|------------|----------|-------------|
| Comstock | Ingersoll, | Sheridan | Weston |
| Cookinham | Kennedy | Sherman | Wren |
| Crapeer | Lefever | Shuit | Youngs |
| Cullinan | Liddle | Sipp | Mr. Speaker |
| Cushing | | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to amend chapter 176 of the Laws of 1872, entitled 'An act in relation to the village of Canandaigua, and to provide a police justice and police constables in said village, and defining their jurisdiction, power and duties,'" being announced for a third reading,

Mr. Case moved to recommit said bill to the committee on affairs of villages, with instructions to amend the same in words following, and report forthwith:

Strike out all after the word "duties" in line 9, section 15, down to and including the word "fees" in line 18, same section; also, in line 18, same section, strike out the words "or deputy sheriffs so designated."

Section 18, line 5, strike out the word "designated."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Sanders, from the committee on affairs of villages, reported back said bill, amended as instructed by the House.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Crapeer | Liddle | Sipp |
| Andrews | Cullinan | Lindsay | Sisson |
| Baker, C. S. | Davis | Low | Skinner |
| Beach | Deane | McCabe | Slingerland |
| Beates | Duell | McCarthy | Steele |
| Benedict, E. D. | Ferris | Mead | Tallmadge |
| Benedict, T. E. | Fish | Miller | Terpeny |
| Bennett | Fiske | Mooers | Terry |
| Bridges | Gorsline | Parker | Thilemann |
| Brodsky | Gray | Peck | Tozier |
| Carpenter, I. S. | Griggs | Phillips | Travis |
| Case | Gwinup | Potter | Treanor |
| Catlin | Hagan | Potts | Tuthill, H. H. |
| Chamberlain | Havens | Rhodes | Van Valkenburgh |
| Chickering | Hayes | Russell | Waterbury |
| Childs | Howland | Sanders | Wells, J. L. |
| Clancy | Hurd | Seeley | Weston |
| Clark | Husted | Shanley | Wren |
| Clowes | Ingersoll | Sheridan | Youngs |
| Comstock | Kennedy | Sherman | Mr. Speaker |
| Cookinham | Lefever | Shuit | |

Those who voted in the negative, were

Walah

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same, with amendments.

By unanimous consent,

Mr. Catlin offered for the consideration of the House a resolution in the words following:

Resolved, That Assembly bill No. 756, entitled "An act to amend chapter 249 of the Laws of 1864, entitled 'An act to amend an act entitled 'An act to provide for the incorporation of villages, passed December 7, 1847, and the several acts amendatory thereof, so far as the same relate to the village of New Rochelle, in the county of Westchester, and the several acts amendatory thereof,'" be committed to the committee on affairs of villages, for amendment, retaining its place on the order of third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Senate bill entitled "An act to legalize the official acts of certain justices of the peace, and authorizing justices of the peace to execute and file official bonds," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Cushing | Liddle | Sipp |
| Andrews | Davis | Lindsay | Sisson |
| Baker, C. S. | Deane | Low | Skinner |
| Beach | Duell | McCabe | Slingerland |
| Beates | Ferris | McCarthy | Steele |
| Benedict, E. D. | Fish | Mead | Strait |
| Benedict, T. E. | Fiske | Miller | Tallmadge |
| Bennett | Gorsline | Mooers | Terpeny |
| Bridges | Gray | Parker | Terry |
| Brodsky | Griggs | Peck | Thilemann |
| Carpenter, I. S. | Grosse | Phillips | Tozier |
| Case | Gwinup | Potter | Travis |
| Catlin | Hagan | Potts | Tuthill, H. H. |
| Chamberlain | Havens | Rhodes | Van Valkenburgh |
| Chickering | Hayes | Russell | Walsh |
| Childs | Howland | Sanders | Waterbury |
| Clark | Hurd | Seeley | Wells, J. B. |
| Clowes | Husted | Shanley | Weston |
| Comstock | Ingersoll | Sheridan | Wren |
| Cookinham | Kennedy | Sherman | Younga |
| Crapser | Lefever | Shuit | Mr. Speaker |
| Cullinan | | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to permit the admission of persons not paupers into the asylums of this State," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a

majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Cushing | Lefever | Sipp |
| Baker, C. S. | Davis | Liddle | Sisson |
| Beach | Deane | Lindsay | Skinner |
| Beates | Duell | Low | Slingerland |
| Benedict, E. D. | Ferris | McCabe | Steele |
| Benedict, T. E. | Fish | McCarthy | Tallmadge |
| Bennett | Fiske | Miller | Terpeny |
| Bridges | Gorsline | Mooers | Terry |
| Brodsky | Gray | Parker | Thilemann |
| Carpenter, I. S. | Griggs | Peck | Tozier |
| Case | Grosse | Phillips | Travis |
| Catlin | Gwinup | Potter | Tuthill, H. H. |
| Chamberlain | Hagan | Potts | Tuttle, R. M. |
| Childs | Havens | Russell | Van Valkenburgh |
| Clark | Hayes | Sanders | Walsh |
| Clowes | Howland | Seeley | Waterbury |
| Comstock | Hurd | Shanley | Wells, J. L. |
| Cookinham | Husted | Sheridan | Weston |
| Crapeer | Ingersoll | Sherman | Wren |
| Cullinan | Kennedy | Shuit | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to revise, amend and consolidate the several acts in relation to the incorporation of the village of New Brighton," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 73 }
{ NOES 5 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Cushing | Lefever | Shuit |
| Andrews | Davis | Liddle | Sipp |
| Baker, C. S. | Deane | Lindsay | Sisson |
| Beach | Duell | Low | Skinner |
| Beates | Ferris | Mead | Slingerland |
| Benedict, E. D. | Fish | Miller | Steele |
| Bridges | Fiske | Mooers | Tallmadge |
| Brodsky | Gorsline] | Nowlan | Terpeny |
| Carpenter, I. S. | Gray | Peck | Terry |
| Case | Griggs | Phillips | Thilemann |
| Catlin | Gwinup | Potter | Tozier |
| Chamberlain | Hagan | Potts | Travis |
| Chickering | Hayes | Russell | Tuthill, H. H. |
| Childs | Howland | Sanders | Tuttle, R. M. |
| Clancy | Hurd | Seeley | Van Valkenburgh |
| Clark | Husted | Shanley | Wells, J. L. |
| Clowes | Ingersoll | Sheridan | Wren |
| Cookinham | Kennedy | Sherman | Youngs |
| Cullinan | | | |

Those who voted in the negative, were

| | | | |
|-----------------|--------|-------|-----------|
| Benedict, T. E. | Havens | Walsh | Waterbury |
| Crapser | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act supplemental to chapter 194 of the Laws of 1849, entitled 'An act to vest in the board of supervisors certain legislative powers, and to prescribe their fees for certain services, and to repeal chapter 597 of the Laws of 1870, amendatory of said act,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Davis | Low | Sisson |
| Andrews | Deane | McCarthy | Skinner |
| Baker, C. S. | Duell | Mead | Slingerland |
| Beach | Ferris | Miller | Steele |
| Beates | Fish | Mooers | Tallmadge |
| Benedict, E. D. | Fiske | Nowlan | Terpeny |
| Benedict, T. E. | Gorsline | Parker | Terry |
| Bridges | Gray | Peck | Thilemann |
| Brodsky | Griggs | Phillips | Tozier |
| Carpenter, I. S. | Gwinup | Potter | Travis |
| Case | Hagan | Potts | Treanor |
| Catlin | Hayes | Rhodes | Tuthill, H. H. |
| Chamberlain | Howland | Russell | Tuttle, R. M. |
| Chickering | Hurd | Sanders | Walsh |
| Childs | Husted | Seeley | Waterbury |
| Clark | Ingersoll | Shanley | Wells, J. L. |
| Clowes | Kennedy | Sheridan | Weston |
| Cookinham | Lefever | Sherman | Wren |
| Crapser | Liddle | Shuit | Youngs |
| Cullinan | Lindsay | Sipp | Mr. Speaker |
| Cushing | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to vest certain powers in the president of the Kingston board of education and the supervisor of the town of Ulster, formerly Kingston, and to facilitate the collection of taxes in the Kingston school district," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|--------------|-------|---------|---------|
| Alvord | Davis | Lindsay | Sipp |
| Andrews | Deane | Low | Sisson |
| Baker, C. S. | Duell | McCabe | Skinner |

| | | | |
|------------------|-----------|----------|----------------|
| Beach | Ferris | McCarthy | Slingerland |
| Beates | Fish | Mead | Tallmadge |
| Benedict, E. D. | Fiske | Miller | Terpeny |
| Benedict, T. E. | Gorsline | Mooers | Terry |
| Bridges | Gray | Nowlan | Thilemann |
| Brodsky | Griggs | Parker | Tozier |
| Carpenter, I. S. | Grosse | Peck | Travis |
| Case | Hagan | Phillips | Treanor |
| Catlin | Havens | Potter | Tuthill, H. H. |
| Chamberlain | Hayes | Potts | Tuttle, R. M. |
| Chickering | Howland | Rhodes | Walsh |
| Childs | Hurd | Russell | Waterbury |
| Clark | Husted | Sanders | Wells, J. L. |
| Clowes | Ingersoll | Seeley | Weston |
| Cookinham | Kennedy | Shanley | Wren |
| Crapser | Lefever | Sherman | Youngs |
| Cullinan | Liddle | Shuit | Mr. Speaker |
| Cushing | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act to provide for the improvement of Steinway avenue, in Long Island City."

"An act to amend section 1 of chapter 466 of the Laws of 1853, entitled 'An act to provide for the incorporation of fire insurance companies.'"

"An act to amend chapter 647 of the Laws of 1865, entitled 'An act to amend an act entitled 'An act to revise and consolidate the general acts relating to public instruction, passed May 2, 1864.'"

"An act to provide for the protection of mechanics and others."

"An act to authorize and facilitate the construction and improvement of sidewalks in the streets of unincorporated villages, and the application of highway labor thereto."

"An act to amend chapter 509 of the Laws of 1868, entitled 'An act to incorporate the Chateaugay Water Works Company.'"

"An act to regulate the dimensions and measurement of apple barrels."

"An act to confirm the official acts of George M. Briggs, Charles Forbes and George W. Brimmer, commissioners of excise in and for the town of Broadalbin, in the county of Fulton, and to enable them to execute a bond to the supervisor thereof."

"An act to amend chapter 486 of the Laws of 1855, entitled 'An act to amend the charter of the village of Horseheads, in Chemung county, and the several acts amendatory thereof, and to supplement new sections.'"

"An act to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn and the various amendments thereof.'"

"An act to establish a cemetery in the town of Long Lake, Hamilton county."

"An act to amend chapter 409 of the Laws of 1879, entitled 'An act to extend the time for the organization of the Centennial Insurance Company of New York.'"

The bill entitled "An act to amend chapter 50 of the Laws of 1848,

entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical, or chemical purposes,' was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Davis | Lindsay | Shuit |
| Andrews | Deane | Low | Sipp |
| Baker, C. S. | Duell | McCabe | Sissor |
| Beach | Ferris | McCarthy | Skinner |
| Beates | Fish | Mead | Slingerland |
| Benedict, E. D. | Fiske | Miller | Steele |
| Benedict, T. E. | Gorsline | Mooers | Tallmadge |
| Bridges | Gray | Nowlan | Terpeny |
| Brodsky | Griggs | Parker | Thilemann |
| Carpenter, I. S. | Grosse | Peck | Tozier |
| Case | Gwinup | Phillips | Travis |
| Catlin | Hagan | Potter | Treanor |
| Chamberlain | Havens | Potts | Tuthill, H. H. |
| Chickering | Hayes | Rhodes | Tuttle, R. M. |
| Childs | Howland | Russell | Walsh |
| Clark | Hurd | Sanders | Waterbury |
| Clowes | Husted | Seeley | Wells, J. L. |
| Cookinham | Ingersoll | Shanley | Weston |
| Crapsier | Kennedy | Sheridan | Wren |
| Cullinan | Lefever | Sherman | Youngs |
| Cushing | Liddle | | |

Ordered. That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for payment of a salary to the county clerks of Richmond and Franklin counties in lieu of all charges now made against the county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|----------|----------------|
| Alvord | Curtis | Lefever | Sipp |
| Andrews | Cushing | Liddle | Sissor |
| Baker, C. S. | Davis | Lindsay | Skinner |
| Beach | Deane | Low | Slingerland |
| Beates | Duell | McCabe | Steele |
| Benedict, E. D. | Ferris | Mead | Tallmadge |
| Benedict, T. E. | Fish | Miller | Terpeny |
| Bridges | Fiske | Mooers | Tozier |
| Brodsky | Gorsline | Nowlan | Travis |
| Carpenter, I. S. | Gray | Parker | Treanor |
| Case | Griggs | Peck | Tuthill, H. H. |
| Catlin | Grosse | Phillips | Tuttle, R. M. |
| Chamberlain | Hagan | Potts | Walsh |

| | | | |
|------------|-----------|----------|--------------|
| Chickering | Havens | Rhodes | Waterbury |
| Childs | Hayes | Russell | Wells, J. L. |
| Clark | Howland | Seeley | Weston |
| Clowes | Hurd | Shanley | Wren |
| Cookinham | Husted | Sheridan | Youngs |
| Crapser | Ingersoll | Sherman | Mr. Speaker |
| Cullinan | Kennedy | Shuit | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the protection of farmers and market gardeners," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 59 }
{ NOES 19 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|--------------|
| Alvord | Cookinham | Howland | Shanley |
| Andrews | Crapser | Husted | Sheridan |
| Baker, C. S. | Cullinan | Ingersoll | Shuit |
| Beach | Curtis | Kennedy | Sipp |
| Beates | Cushing | Lefever | Slingerland |
| Benedict, E. D. | Deane | Liddle | Steele |
| Benedict, T. E. | Ferris | Lindsay | Tallmadge |
| Brodsky | Fish | Low | Terpeny |
| Carpenter, I. S. | Fiske | McCarthy | Tozier |
| Case | Gorsline | Mead | Travis |
| Chamberlain | Gray | Miller | Waterbury |
| Chickering | Griggs | Peck | Wells, J. L. |
| Childs | Grosse | Phillips | Weston |
| Clark | Hagan | Russell | Youngs |
| Clowes | Hayes | Seeley | |

Those who voted in the negative, were

| | | | |
|---------|--------|---------|---------------|
| Bridges | McCabe | Rhodes | Thilemann |
| Davis | Moore | Sherman | Tuttle, R. M. |
| Gwinup | Nowlan | Sisson | Walsh |
| Havens | Parker | Skinner | Mr. Speaker |
| Hurd | Potts | Terry | |

Mr. Youngs moved to reconsider the vote by which said bill was lost, and that the motion do lay upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill entitled "An act authorizing certain officers of the town of Orleans to issue bonds to pay indebtedness of said town," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|---------|---------|---------|-------|
| Alvord | Curtis | Liddle | Shuit |
| Andrews | Cushing | Lindsay | Sipp |

entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical, or chemical purposes,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Davis | Lindsay | Shuit |
| Andrews | Deane | Low | Sipp |
| Baker, C. S. | Duell | McCabe | Sissor. |
| Beach | Ferris | McCarthy | Skinner |
| Beates | Fish | Mead | Slingerland |
| Benedict, E. D. | Fiske | Miller | Steele |
| Benedict, T. E. | Gorsline | Mooers | Tallmadge |
| Bridges | Gray | Nowlan | Terpeny |
| Brodsky | Griggs | Parker | Thilemann |
| Carpenter, I. S. | Grosse | Peck | Tozier |
| Case | Gwinup | Phillips | Travis |
| Catlin | Hagan | Potter | Treanor |
| Chamberlain | Havens | Potts | Tuthill, H. H. |
| Chickering | Hayes | Rhodes | Tuttle, R. M. |
| Childs | Howland | Russell | Walsh |
| Clark | Hurd | Sanders | Waterbury |
| Clowes | Husted | Seeley | Wells, J. L. |
| Cookinham | Ingersoll | Shanley | Weston |
| Crapser | Kennedy | Sheridan | Wren |
| Cullinan | Lefever | Sherman | Youngs |
| Cushing | Liddle | | |

Ordered. That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for payment of a salary to the county clerks of Richmond and Franklin counties in lieu of all charges now made against the county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|----------|----------------|
| Alvord | Curtis | Lefever | Sipp |
| Andrews | Cushing | Liddle | Sisson |
| Baker, C. S. | Davis | Lindsay | Skinner |
| Beach | Deane | Low | Slingerland |
| Beates | Duell | McCabe | Steele |
| Benedict, E. D. | Ferris | Mead | Tallmadge |
| Benedict, T. E. | Fish | Miller | Terpeny |
| Bridges | Fiske | Mooers | Tozier |
| Brodsky | Gorsline | Nowlan | Travis |
| Carpenter, I. S. | Gray | Parker | Treanor |
| Case | Griggs | Peck | Tuthill, H. H. |
| Oatlin | Grosse | Phillips | Tuttle, R. M. |
| Chamberlain | Hagan | Potts | Walsh |

| | | | |
|------------|-----------|----------|--------------|
| Chickering | Havens | Rhodes | Waterbury |
| Childs | Hayes | Russell | Wells, J. L. |
| Clark | Howland | Seeley | Weston |
| Clowes | Hurd | Shanley | Wren |
| Cookinham | Husted | Sheridan | Youngs |
| Crapser | Ingersoll | Sherman | Mr. Speaker |
| Cullinan | Kennedy | Shuit | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the protection of farmers and market gardeners," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 59 }
{ NOES 19 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|--------------|
| Alvord | Cookinham | Howland | Shanley |
| Andrews | Crapser | Husted | Sheridan |
| Baker, C. S. | Cullinan | Ingersoll | Shuit |
| Beach | Curtis | Kennedy | Sipp |
| Beates | Cushing | Lefever | Slingerland |
| Benedict, E. D. | Deane | Liddle | Steele |
| Benedict, T. E. | Ferris | Lindsay | Tallmadge |
| Brodskey | Fish | Low | Terpeny |
| Carpenter, I. S. | Fiske | McCarthy | Tozier |
| Case | Gorsline | Mead | Travis |
| Chamberlain | Gray | Miller | Waterbury |
| Chickering | Griggs | Peck | Wells, J. L. |
| Childs | Grosse | Phillips | Weston |
| Clark | Hagan | Russell | Youngs |
| Clowes | Hayes | Seeley | |

Those who voted in the negative, were

| | | | |
|---------|--------|---------|---------------|
| Bridges | McCabe | Rhodes | Thilemann |
| Davis | Moors | Sherman | Tuttle, R. M. |
| Gwinup | Nowlan | Sisson | Walsh |
| Havens | Parker | Skinner | Mr. Speaker |
| Hurd | Potts | Terry | |

Mr. Youngs moved to reconsider the vote by which said bill was lost, and that the motion do lay upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill entitled "An act authorizing certain officers of the town of Orleans to issue bonds to pay indebtedness of said town," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|---------|---------|---------|-------|
| Alvord | Curtis | Liddle | Shuit |
| Andrews | Cushing | Lindsay | Sipp |

| | | | |
|------------------|-----------|----------|----------------|
| Baker, C. S. | Davis | Low | Sisson |
| Beach | Deane | McCabe | Skinner |
| Beates | Ferris | McCarthy | Slingerland |
| Benedict, E. D. | Fish | Mead | Steele |
| Benedict, T. E. | Fiske | Miller | Tallmadge |
| Bridges | Gorsline | Mooers | Terpeny |
| Brodsky | Gray | Nowlan | Terry |
| Carpenter, I. S. | Griggs | Parker | Thilemann |
| Case | Grosse | Phillips | Tozier |
| Catlin | Gwinup | Potts | Travis |
| Chamberlain | Hagan | Rhodes | Tuthill, H. H. |
| Chickering | Havens | Russell | Tuttle, R. M. |
| Childs | Hayes | Sanders | Walsh |
| Clark | Hurd | Seeley | Waterbury |
| Clowes | Husted | Shanley | Wells, J. L. |
| Cookinham | Ingersoll | Sheridan | Wren |
| Crapser | Kennedy | Sherman | Mr. Speaker |
| Cullinan | Lefever | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend section 1 of chapter 792 of the Laws of 1866, entitled 'An act to incorporate the village of Port Richmond, in the county of Richmond,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|-----------|----------------|
| Alvord | Cullinan | Ingersoll | Sheridan |
| Andrews | Curtis | Kennedy | Sherman |
| Baker, C. S. | Cushing | Lefever | Shuit |
| Beach | Davis | Liddle | Sipp |
| Beates | Deane | Lindsay | Sisson |
| Benedict, E. D. | Duell | Low | Skinner |
| Benedict, T. E. | Ferris | McCabe | Steele |
| Bennett | Fish | McCarthy | Tallmadge |
| Bridges | Fiske | Mead | Terpeny |
| Brodsky | Gorsline | Miller | Terry |
| Carpenter, I. S. | Gray | Mooers | Tozier |
| Case | Griggs | Nowlan | Travis |
| Catlin | Grosse | Parker | Tuthill, H. H. |
| Chamberlain | Gwinup | Phillips | Tuttle, R. M. |
| Chickering | Hagan | Potts | Walsh |
| Childs | Havens | Rhodes | Waterbury |
| Clark | Hayes | Russell | Weston |
| Clowes | Howland | Sanders | Wren |
| Cookinham | Hurd | Seeley | Mr. Speaker |
| Crapser | Husted | Shanley | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the collection of unpaid city taxes and local assessments in the city of Buffalo," was read a third time.

Mr. Speaker put the question whether the House would agree to

the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Curtis | Kennedy | Shuit |
| Andrews | Oushing | Lefever | Sipp |
| Baker, C. S. | Davis | Liddle | Sisson |
| Beach | Deane | Lindsay | Skinner |
| Beates | Duell | Low | Slingerland |
| Benedict, E. D. | Ferris | McCabe | Steele |
| Benedict, T. E. | Fish | McCarthy | Tallmadge |
| Bennett | Fiske | Mead | Terpeny |
| Bridges | Gorsline | Miller | Terry |
| Brodsky | Gray | Mooers | Thilemann |
| Carpenter, I. S. | Griggs | Nowlan | Tozier |
| Case | Grosse | Parker | Travis |
| Catlin | Gwinup | Phillips | Tuthill, H. H. |
| Chamberlain | Hagan | Potts | Tuttle, R. M. |
| Chickering | Havens | Rhodes | Walsh |
| Clancy | Hayes | Russell | Waterbury |
| Clark | Howland | Sanders | Wells, J. L. |
| Clowes | Hurd | Shanley | Weston |
| Cookinham | Husted | Sheridan | Wren |
| Craper | Ingersoll | Sherman | Mr. Speaker |
| Cullinan | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Liddle, and by unanimous consent, Senate bill entitled "An act to amend chapter 440 of the Laws of 1876, entitled 'An act to amend an act entitled 'An act to incorporate the city of Cohoes, and the acts amendatory of the same,'" was ordered to a third reading.

On motion of Mr. Alvord, and at 10 o'clock, the House adjourned.

TUESDAY MORNING, MAY 4, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Dexter, Coxsackie.

The journal of yesterday was read and approved.

A message from the Senate was received and read, informing of concurrence in the following bills:

"An act to prevent the bribing and corrupting of officers of the Seneca Nation of Indians."

"An act to legalize and confirm the official acts of William J. Robb, a justice of the peace of the town of Perth, in the county of Fulton."

"An act to provide for the dissolution of union free school districts in certain cases."

"An act to incorporate the board of trustees of the fire department of the city of Troy."

"An act to transfer to Cornell University the securities, moneys and contracts constituting and relating to the Cornell Endowment Fund."

"An act relinquishing title and jurisdiction to the United States over certain land covered with water in the harbor of New York at Governor's, Bedloe's, Ellis' and David's Islands, and Forts Lafayette, Hamilton, Wadsworth and Schuyler."

"An act to provide for the election of a town treasurer in the town of Gravesend, in the county of Kings, and to regulate and prescribe the duties of said officer."

"An act to amend chapter 271 of the Laws of 1834, entitled 'An act for establishing a justices' court in the city of Troy, and the several acts amendatory thereof and supplemental thereto, and, also, to amend chapter 56 of the Laws of 1848, entitled 'An act to provide for the election of the justices and the clerk of the justices' court in and for the city of Troy, and the appointment of a marshal, and the several acts amendatory thereof and supplemental thereto, and, also, to amend chapter eighteen of the Laws of 1876, entitled 'An act in relation to the police court and justices' court of the city of Troy.'"

"An act to authorize the construction of a bridge over the Erie canal at Brockport, Monroe county."

"An act to authorize the appropriation of the moneys raised by the town of Otsego, in the county of Otsego, under chapter 482 of the Laws of 1875, to pay moneys borrowed by the supervisor of said town and used to secure to said town the use of the Otsego county courthouse building for town hall purposes."

"An act to enable the Alanson Methodist Episcopal Church of the city of New York to transfer and convey certain real property."

"An act to authorize the Comptroller to admit the unpaid taxes of the year 1879, assessed upon lands in the several counties of the State which were bid in by the State at the tax sale of 1877, and to which the State acquired title from said tax sale."

"An act to amend an act entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors.'"

"An act to incorporate the fire department of the village of Waterloo."

"An act to amend chapter 7 of the Laws of 1867, entitled 'An act to establish a board of education in and for the village school district of the town of Malone, in the county of Franklin, and for other purposes.'"

"An act to amend chapter 376 of the Laws of 1876, as amended by chapter 456 of the Laws of 1879, entitled 'An act to prevent the deposit of mud, earth, soil, ashes, or refuse in the North or Hudson river, and to prevent the filling up the navigable waters of said river, and to preserve the navigation thereof.'"

"An act to revive the Gypsum Cemetery Association in Ontario county."

"An act further defining and limiting the powers and duties of the commissioners of the road formerly known as the Buffalo plank road, in the county of Erie, and contracting said road."

"An act to amend chapter 121 of the Laws of 1835, entitled 'An act to incorporate the Young Men's Association.'"

"An act to amend chapter 360 of the Laws of 1867, entitled 'An act to amend and consolidate the several acts in relation to the village of Rhinebeck.'"

"An act to amend an act entitled 'An act to incorporate the village of Coxsackie, passed April 5, 1867.'"

"An act to release the interest of the People of the State of New York in and to certain real estate in the city of Troy, in the county of Rensselaer, of which Arthur Mooney died seized, to Mary Jane Mooney, his widow."

"An act to regulate voting in the Western New York Agricultural Society."

Ordered, That the Clerk deliver said bills to the Governor.

A message from the Senate was received and read informing of concurrence in the following resolution :

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return of Assembly bill, No. 243, entitled "An act repealing certain acts and parts of acts," for amendment.

Ordered, That the Clerk deliver said resolution to the Governor.

A message from the Senate was received and read informing of concurrence in the passage of the following bill :

"An act conferring on the Board of Canal Appraisers the power to allow amendments to claims."

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Speaker presented a communication from the board of fire commissioners of the city of New York, in reference to a resolution adopted by the Assembly ; which was read and referred to the committee on affairs of cities.

Privileges of the floor were granted to Hon. Knox McAfee, a former member of this House.

Mr. Miller offered for the consideration of the House a privileged resolution in the words following :

Resolved (if the Senate concur), That a respectful message be sent to the Governor requesting the return of Assembly bill, printed No. 116, entitled "An act to amend chapter 435 of the Laws of 1868, entitled 'An act to incorporate the village of Hamilton, in the county of Madison, and to repeal its present charter, as amended by chapter 166 of the Laws of 1877,' " for amendment.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Pursuant to ninth joint rule Mr. Speaker announced the order of business, third reading of bills. •

The bill entitled "An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|--------------|-----------|---------|---------|
| Alvord | Cookinham | Lefever | Shuit |
| Andrews | Costello | Liddle | Sipp |
| Baker, C. S. | Crapser | Lindsay | Sisson |
| Beach | Cullinan | Low | Skinner |

| | | | |
|------------------|------------|---------------------|----------------|
| Beates | Davis | McCabe | Slingerland |
| Benedict, E. D. | Douglass | Miller ¹ | Steele |
| Bradley | Duell | Mitchell | Tallmadge |
| Bridges | Ellis | Mooers | Terpeny |
| Brodsky | Evans | Newman | Terry |
| Bullock | Fish | Nowlan | Titus |
| Carpenter, E. A. | Fiske | O'Connor | Torney |
| Carpenter, I. S. | Fitzgerald | Parker | Tozier |
| Case | Gorsline | Peck | Travis |
| Chamberlain | Gray | Phillips | Tully |
| Chase | Griggs | Potts | Tuthill, H. H. |
| Chickering | Gwinup | Rhodes | Waterbury |
| Childs | Havens | Root | Wells, J. L. |
| Clark | Hoffman | Seeley | Weston |
| Clowes | Howland | Sheridan | Wren |
| Cohen | Hurd | Sherman | Youngs |
| Congdon | Kennedy | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to require banks, banking associations and individual bankers to redeem and retire their circulating notes, and to authorize the Superintendent of the Banking Department to return the securities held by him to secure such circulation," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Cookinham | Lefever | Sipp |
| Andrews | Costello | Liddle | Sisson |
| Beach | Cullinan | Lindsay | Skinner |
| Beates | Davis | Low | Slingerland |
| Benedict, E. D. | Douglass | McCabe | Steele |
| Benedict, T. E. | Duell | McCarthy | Strait |
| Bradley | Ellis | Miller | Tallmadge |
| Bridges | Evans | Mitchell | Terpeny |
| Brodsky | Fish | Mooers | Terry |
| Bullock | Fiske | Nowlan | Thilemann |
| Carpenter, E. A. | Fitzgerald | Parker | Titus |
| Carpenter, I. S. | Gorsline | Peck | Tozier |
| Catlin | Gray | Phillips | Tully |
| Chamberlain | Griggs | Potts | Tuthill, H. H. |
| Chase | Hagan | Rhodes | Waterbury |
| Chickering | Hoffman | Root | Wells, J. L. |
| Childs | Howland | Sanders | Weston |
| Clowes | Hurd | Seeley | Wren |
| Cohen | Ingersoll | Sherman | Youngs |
| Congdon | Kennedy | Shuit | |

Those who voted in the negative, were
Crapser

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to incorporate the National Guard Mu-

tual Relief Association of the State of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Crapser | Kennedy | Sherman |
| Andrews | Cullinan | Lefever | Shuit |
| Baker, C. S. | Curtis | Liddle | Sipp |
| Beach | Cushing | Lindsay | Sisson |
| Beates | Douglass | Low | Skinner |
| Benedict, E. D. | Duell | McAvoy | Slingerland |
| Benedict, T. E. | Duguid | McCabe | Steele |
| Bradley | Ellis | Miller | Tallmadge |
| Bridges | Evans | Mitchell | Terpeny |
| Brodsky | Ferris | Mooers | Terry |
| Bullock | Fish | Nowlan | Thilemann |
| Carpenter, E. A. | Fiske | O'Connor | Titus |
| Carpenter, I. S. | Fitzgerald | Parker | Tozier |
| Catlin | Gorsline | Peck | Travis |
| Chamberlain | Gray | Phillips | Tully |
| Chase | Griggs | Potts | Tuthill, H. H. |
| Chickering | Gwinup | Rhodes | Tuttle, R. M. |
| Childs | Havens | Root | Waterbury |
| Clowes | Hoffman | Russell | Wells, J. L. |
| Congdon | Howland | Sanders | Weston |
| Cookinham | Hurd | Seeley | Youngs |
| Costello | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 410 of the Laws of 1878, entitled 'An act to improve Flushing avenue, Long Island City,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were.

| | | | |
|------------------|------------|----------|-------------|
| Alvord | Cookinham | Kennedy | Sherman |
| Andrews | Costello | Lefever | Shuit |
| Baker, C. S. | Cullinan | Liddle | Sipp |
| Beach | Curtis | Lindsay | Sisson |
| Beates | Cushing | Low | Skinner |
| Benedict, E. D. | Douglass | McCabe | Slingerland |
| Benedict, T. E. | Duell | Miller | Steele |
| Bradley | Duguid | Mitchell | Tallmadge |
| Bridges | Ellis | Mooers | Terpeny |
| Brodsky | Ferris | Nowlan | Thilemann |
| Bullock | Fish | Parker | Titus |
| Carpenter, E. A. | Fiske | Peck | Tozier |
| Carpenter, I. S. | Fitzgerald | Phillips | Travis |

| | | | |
|-------------|----------|----------|----------------|
| Case | Gorsline | Potts | Tully |
| Catlin | Gray | Rhodes | Tuthill, H. H. |
| Chamberlain | Griggs | Root | Tuttle, R. M. |
| Chase | Gwinup | Russell | Warner |
| Chickering | Hagan | Sanders | Waterbury |
| Childs | Havens | Seeley | Wells, J. L. |
| Clowes | Hoffman | Shanley | Weston |
| Comstock | Howland | Sheridan | Youngs |
| Congdon | Hurd | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 674 of the Laws of 1870, entitled 'An act to amend and consolidate and re-enact an act entitled 'An act to incorporate the village of Edgewater, passed March 22, 1866, and an act amending the same, passed April 22, 1867, and to extend the powers of the corporation and the acts amendatory thereof,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|----------------|
| Alvord | Costello | Ingersoll | Sherman |
| Andrews | Curtis | Kennedy | Shuit |
| Baker, C. S. | Cushing | Lefever | Sipp |
| Beach | Davis | Liddle | Sisson |
| Beates | Deane | Lindsay | Skinner |
| Benedict, E. D. | Douglass | Low | Slingerland |
| Benedict, T. E. | Duell | McAvoy | Steele |
| Bradley | Duguid | McCabe | Strait |
| Bridges | Ellis | Miller | Tallmadge |
| Brodsky | Evans | Mitchell | Terpeny |
| Bullock | Ferriis | Mooers | Terry |
| Carpenter, E. A. | Fish | Nowlan | Titus |
| Carpenter, I. S. | Fiske | Parker | Tozier |
| Case | Fitzgerald | Peck | Travis |
| Catlin | Gorsline | Phillips | Tully |
| Chamberlain | Gray | Potts | Tuthill, H. H. |
| Chase | Griggs | Rhodes | Tuttle, R. M. |
| Chickering | Gwinup | Root | Warner |
| Childs | Hagan | Russell | Waterbury |
| Clowes | Havens | Sanders | Wells, J. L. |
| Comstock | Hoffman | Seeley | Weston |
| Congdon | Hurd | Shanley | Youngs |
| Cookinham | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the Comptroller to compromise and settle claims against the sureties of the New York and Erie Bank of Buffalo." was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Cookinham | Lefever | Sherman |
| Andrews | Crapser | Liddle | Shuit |
| Baker, C. S. | Curtis | Lindsay | Sipp |
| Beach | Chushing | Low | Sisson |
| Beates | Davis | McAvoy | Skinner |
| Benedict, T. E. | Deane | McCabe | Slingerland |
| Bradley | Douglass | Miller | Steele |
| Bridges | Duell | Mitchell | Strait |
| Brodsky | Duguid | Mooers | Tallmadge |
| Bullock | Ellis | Newman | Terpeny |
| Carpenter, E. A. | Evans | Nowlan | Titus |
| Carpenter, I. S. | Ferris | Parker | Tozier |
| Case | Fish | Peck | Travis |
| Catlin | Fiske | Phillips | Tully |
| Chamberlain | Fitzgerald | Potts | Tuthill, H. H. |
| Chase | Gorsline | Rhodes | Tuttle, R. M. |
| Chickering | Gray | Root | Warner |
| Childs | Griggs | Russell | Waterbury |
| Clancy | Havens | Sanders | Wells, J. L. |
| Clowes | Hoffman | Seeley | Weston |
| Cohen | Hurd | Shanley | Youngs |
| Comstock | Kennedy | Sheridan | |

Those who voted in the negative, were

Gwipup

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the improvement of Steinway avenue, in Long Island City," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Crapser | Kennedy | Sherman |
| Andrews | Cullinan | Lefever | Shuit |
| Baker, C. S. | Curtis | Liddle | Sipp |
| Beach | Davis | Lindsay | Sisson |
| Beates | Deane | Low | Skinner |
| Benedict, T. E. | Douglass | McCabe | Slingerland |
| Bridges | Duell | Miller | Steele |
| Brodsky | Duguid | Mitchell | Strait |
| Bullock | Ellis | Mooers | Tallmadge |
| Carpenter, E. A. | Evans | Newman | Terpeny |
| Carpenter, I. S. | Ferris | Nowlan | Terry |
| Case | Fish | Parker | Titus |
| Catlin | Fiske | Peck | Tozier |
| Chamberlain | Fitzgerald | Phillips | Travis |
| Chase | Gorsline | Potts | Tuthill, H. H. |
| Chickering | Gray | Rhodes | Tuttle, R. M. |
| Childs | Griggs | Root | Warner |
| Clancy | Hagan | Russell | Waterbury |
| Clowes | Havens | Sanders | Wells, D. A. |

| | | | |
|-----------|---------|----------|--------------|
| Comstock | Hoffman | Seeley | Wells, J. L. |
| Congdon | Howland | Shanley | Weston |
| Cookinham | Hurd | Sheridan | Youngs |
| Costello | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to authorize a tax of $\frac{3}{100}$ ths of a mill, per dollar of valuation, to provide for a deficiency in the sinking fund, under article 7, section 3 of the Constitution," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Crapser | Kennedy | Shuit |
| Andrews | Cullinan | Lefever | Sipp |
| Baker, B. F. | Curtis | Liddle | Sisson |
| Baker, C. S. | Cushing | Lindsay | Skinner |
| Beach | Davis | Low | Slingerland |
| Beates | Deane | McCabe | Steele |
| Benedict, E. D. | Douglass | McDonald | Strait |
| Benedict, T. E. | Duell | Miller | Tallmadge |
| Bridges | Duguid | Mitchell | Terpeny |
| Brodsky | Ellis | Mooers | Terry |
| Bullock | Ferris | Newman | Thilemann |
| Carpenter, E. A. | Fish | Nowlan | Titus |
| Carpenter, I. S. | Fiske | Parker | Tozier |
| Case | Fitzgerald | Peck | Travis |
| Catlin | Gorsline | Philips | Tully |
| Chamberlain | Gray | Potts | Tuthill, H. H. |
| Chase | Griggs | Rhodes | Tuttle, R. M. |
| Chickering | Gwinup | Root | Warner |
| Childs | Hagan | Russell | Waterbury |
| Clancy | Havens | Sanders | Wells, D. A. |
| Clowes | Hayes | Seeley | Wells, J. L. |
| Comstock | Hoffman | Shanley | Weston |
| Cookinham | Howland | Sheridan | Youngs |
| Costello | Hurd | Sherman | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act making appropriations for the payment of the principal and interest of the canal debt for the fiscal year commencing on the 1st day of October, 1880," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 96 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|---------|-----------|---------|----------|
| Alvord | Cookinham | Hoffman | Shanley |
| Andrews | Costello | Hurd | Sheridan |

| | | | |
|------------------|------------|----------|----------------|
| Baker, B. F. | Crapser | Husted | Sherman |
| Baker, C. S. | Cullinan | Lefever | Shuit |
| Beach | Curtis | Liddle | Sipp |
| Beates | Cushing | Lindsay | Sisson |
| Benedict, E. D. | Davis | Low | Skinner |
| Benedict, T. E. | Deane | McCabe | Slingerland |
| Bradley | Douglass | McDonald | Steele |
| Bridges | Duell | Miller | Strait |
| Brodsky | Duguid | Mitchell | Tallmadge |
| Bullock | Ellis | Mooers | Terpeny |
| Carpenter, E. A. | Evans | Newman | Terry |
| Carpenter, I. S. | Ferris | Nowlan | Titus |
| Case | Fish | O'Brien | Tozier |
| Catlin | Fiske | Parker | Travis |
| Chamberlain | Fitzgerald | Peck | Tully |
| Chase | Gorsline | Phillips | Tuthill, H. H. |
| Chickering | Gray | Potter | Warner |
| Childs | Griggs | Potts | Waterbury |
| Clancy | Gwinup | Rhodes | Wells, D. A. |
| Clowes | Hagan | Root | Wells, J. L. |
| Comstock | Havens | Russell | Weston |
| Congdon | Hayes | Seeley | Youngs |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act in relation to the Rochester and Lake Ontario Railway Company, to confirm its present route and authorize said company to hold and improve the real estate now held and owned by said company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 97 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|---------------|
| Alvord | Crapser | Husted | Seeley |
| Andrews | Cullinan | Ingersoll | Shanley |
| Baker, B. F. | Curtis | Kennedy | Sheridan |
| Baker, C. S. | Cushing | Lefever | Sherman |
| Beach | Davis | Liddle | Shuit |
| Beates | Deane | Lindsay | Sipp |
| Benedict, E. D. | Douglass | Low | Sisson |
| Bradley | Duell | McAvoy | Skinner |
| Bridges | Duguid | McCabe | Slingerland |
| Brodsky | Ellis | Miller | Steele |
| Bullock | Evans | Mitchell | Tallmadge |
| Carpenter, E. A. | Ferris | Mooers | Terpeny |
| Carpenter, I. S. | Fish | Newman | Terry |
| Case | Fiske | Nowlan | Thylemann |
| Catlin | Fitzgerald | O'Brien | Titus |
| Chamberlain | Gorsline | Parker | Tozier |
| Chase | Gray | Peck | Travis |
| Chickering | Griggs | Phillips | Tuttle, R. M. |
| Childs | Hagan | Potter | Warner |
| Clancy | Havens | Potts | Waterbury |
| Clowes | Hayes | Rhodes | Wells, D. A. |
| Cohen | Hoffman | Root | Wells, J. L. |

Congdon
Cookinham
Costello

Howland
Hurd

Russell
Sanders

Weston
Youngs

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to incorporate Alert Hose Company No. 3, of Medina, New York, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 96 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|----------------|
| Alvord | Cookinham | Hurd | Shanley |
| Andrews | Costello | Husted | Sheridan |
| Baker, B. F. | Crapser | Ingersoll | Sherman |
| Baker, C. S. | Cullinan | Kennedy | Shuit |
| Beach | Curtis | Lefever | Sipp |
| Beates | Davis | Liddle | Sisson |
| Benedict, T. E. | Deane | Lindsay | Skinner |
| Bradley | Douglass | Low | Slingerland |
| Bridges | Duell | McAvoy | Steele |
| Brodsky | Duguid | McCabe | Strait |
| Bullock | Ellis | Miller | Tallmadge |
| Carpenter, E. A. | Evans | Mitchell | Terpeny |
| Carpenter, I. S. | Fish | Mooers | Titus |
| Case | Fiske | Newman | Tozier |
| Catlin | Fitzgerald | Nowlan | Travis |
| Chamberlain | Gorsline | O'Brien | Tully |
| Chase | Gray | Parker | Tuthill, H. H. |
| Chickering | Griggs | Peck | Tuttle, R. M. |
| Childs | Gwinup | Phillips | Warner |
| Clancy | Hagan | Potts | Waterbury |
| Clowes | Havens | Rhodes | Wells, D. A. |
| Cohen | Hayes | Root | Wells, J. L. |
| Comstock | Hoffinan | Russell | Weston |
| Congdon | Howland | Seeley | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 163 of the Laws of 1873, entitled 'An act to organize and establish a police for the city of Yonkers,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }
{ NOES 5 }

Those who voted in the affirmative, were

| | | | |
|--------------|-----------|----------|-------------|
| Alvord | Cookinham | Liddle | Sipp |
| Andrews | Curtis | Lindsay | Sisson |
| Baker, B. F. | Davis | Low | Skinner |
| Baker, C. S. | Deane | McCabe | Slingerland |
| Beach | Douglass | Miller | Steele |
| Beates | Duell | Mitchell | Strait |

| | | | |
|------------------|-----------|----------|----------------|
| Benedict, E. D. | Duguid | Mooers | Tallmadge |
| Bradley | Evans | Nowlan | Terry |
| Bridges | Ferris | O'Brien | Titus |
| Brodsky | Fish | Peck | Tozier |
| Bullock | Fiske | Phillips | Travis |
| Carpenter, E. A. | Gorsline | Potter | Tuthill, H. H. |
| Carpenter, I. S. | Gray | Potts | Tuttle, R. M. |
| Case | Griggs | Rhodes | Warner |
| Chamberlain | Hayes | Root | Waterbury |
| Chase | Howland | Russell | Wells, D. A. |
| Chickering | Hurd | Sanders | Wells, J. L. |
| Childs | Husted | Seeley | Weston |
| Clowes | Ingersoll | Sherman | Wren |
| Comstock | Kennedy | Shuit | Youngs |
| Congdon | Lefever | | |

Those who voted in the negative, were

| | | | |
|----------|---------|---------|----------|
| Cohen | Cushing | Hoffman | O'Connor |
| Costello | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Senate was received and read informing of concurrence in the passage of the bills entitled as follows:

"An act to legalize the official acts of Daniel F. St. John, a justice of the peace in the town of Clarendon in the county of Orleans."

"An act to establish and maintain a police force in the city of Troy."

"An act to legalize and confirm the election of officers for the village of Macedon, in the county of Wayne."

"An act to provide for the construction of fishways in the State dams across the Oswego, Oneida and Seneca rivers."

"An act to amend chapter 30 of the Laws of 1880, entitled 'An act to amend chapter 598 of the Laws of 1870, entitled 'An act to amend an act to incorporate the city of Troy, passed April 12, 1816, and the several acts amendatory thereof, and also to amend other acts relating to the city of Troy, and supplemental thereto, passed February 27, 1880.'"

"An act to ratify and confirm the agreement in relation to the boundary lines between the State of New York and the State of Connecticut entered into by commissioners on the part of said States."

"An act to provide for the registration of certain bonds in the city and county of New York."

"An act to authorize the board of supervisors of the county of Onondaga to borrow money by issuing bonds of said county, and to provide for the payment of such bonds."

"An act to amend chapter 125 of the Laws of 1880, entitled 'An act to authorize the railroad commissioners of the town of Lowville, in Lewis county, to take up certain bonds which, under chapter 14, section 4 of Laws of 1872, may be taken up, and to issue others in place of said bonds at a lower rate of interest.'"

Ordered, That the Clerk deliver said bills to the Governor.

The bill entitled "An act in relation to the village of Potsdam," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }
{ NOES 7 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|----------------|
| Alvord | Congdon | Ingersoll | Seeley |
| Andrews | Cookinham | Kennedy | Shanley |
| Baker, B. F. | Costello | Lefever | Sherman |
| Baker, C. S. | Crapser | Liddle | Shuit |
| Beach | Cullinan | Lindsay | Sisson |
| Beates | Curtis | Low | Skinner |
| Benedict, E. D. | Cushing | McCabe | Steele |
| Benedict, T. E. | Davis | McDonald | Tallmadge |
| Bradley | Deane | Miller | Terpeny |
| Bridges | Duell | Mitchell | Terry |
| Brodsky | Duguid | Mooers | Titus |
| Bullock | Ferris | Newman | Tozier |
| Carpenter, E. A. | Fish | Nowlan | Travis |
| Carpenter, I. S. | Fiske | O'Brien | Tuthill, H. H. |
| Case | Gorsline | O'Connor | Tuttle, R. M. |
| Catlin | Gray | Peck | Warner |
| Chamberlain | Griggs | Phillips | Waterbury |
| Chase | Hayes | Potter | Wells, D. A. |
| Childs | Howland | Potts | Wells, J. L. |
| Clowes | Hurd | Root | Weston |
| Cohen | Husted | Russell | Youngs |
| Comstock | | | |

Those who voted in the negative, were

| | | | |
|-------|--------|--------|-------------|
| Ellis | Gwinup | Rhodes | Slingerland |
| Evans | Havens | Sipp | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 824 of the Laws of 1873, entitled 'An act to amend section 19 of chapter 570 of the Laws of 1872, entitled 'An act to ascertain by proper proofs the citizens who shall be entitled to the right of suffrage in the State of New York, except in the city and county of New York and the city of Brooklyn, and to repeal chapter 572 of the Laws of 1871, entitled 'An act to amend an act entitled 'An act in relation to elections in the city and county of New York,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }
{ NOES 13 }

Those who voted in the affirmative, were

| | | | |
|--------------|-----------|-----------|-------------|
| Alvord | Congdon | Husted | Sherman |
| Andrews | Cookinham | Ingersoll | Shuit |
| Baker, B. F. | Crapser | Kennedy | Sipp |
| Baker, C. S. | Cullinan | Lefever | Sisson |
| Beach | Curtis | Liddle | Skinner |
| Beates | Davis | Lindsay | Slingerland |
| Bradley | Deane | Low | Steele |
| Brennan | Douglass | Miller | Tallmadge |
| Bridges | Duell | Mitchell | Terry |
| Brodsky | Duguid | Mooers | Titus |
| Bullock | Evans | Nowlan | Tozier |

| | | | |
|------------------|----------|----------|----------------|
| Carpenter, E. A. | Ferris | O'Brien | Travis |
| Carpenter, I. S. | Fish | Peck | Tuthill, H. H. |
| Case | Fiske | Phillips | Tuttle, R. M. |
| Chamberlain | Gorsline | Potter | Warner |
| Chase | Gray | Potts | Waterbury |
| Chickering | Griggs | Root | Wells, D. A. |
| Childs | Hayes | Russell | Wells, J. L. |
| Clark | Howland | Sanders | Weston |
| Clowes | Hurd | Seeley | Youngs |

Those who voted in the negative, were

| | | | |
|-----------------|---------|---------|---------|
| Benedict, T. E. | Havens | Parker | Terpeny |
| Costello | Hoffman | Rhodes | Tully |
| Cushing | Newman | Shanley | Wiley |
| Hagan | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to extend the definition of the crime of perjury, and for other purposes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 97 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|-----------------|
| Alvord | Costello | Ingersoll | Shanley |
| Andrews | Cullinan | Kennedy | Sherman |
| Baker, B. F. | Curtis | Lefever | Shuit |
| Baker, C. S. | Cushing | Liddle | Sipp |
| Beach | Davis | Lindsay | Sisson |
| Beates | Deane | Low | Skinner |
| Benedict, E. D. | Douglass | McCabe | Steele |
| Benedict, T. E. | Duell | McDonald | Tallmadge |
| Bradley | Duguid | Miller | Terpeny |
| Brennan | Ellis | Mitchell | Terry |
| Bridges | Ferris | Mooers | Titus |
| Brodsky | Fish | Newman | Tozier |
| Bullock | Fiske | Nowlan | Travis |
| Carpenter, E. A. | Fitzgerald | O'Brien | Treanor |
| Carpenter, I. S. | Gorsline | O'Connor | Tully |
| Case | Gray | Parker | Tuthill, H. H. |
| Chamberlain | Gwinup | Peck | Tuttle, R. M. |
| Chase | Hagan | Phillips | Van Valkenburgh |
| Chickering | Havens | Potter | Warner |
| Childs | Hayes | Potts | Waterbury |
| Clark | Hoffman | Root | Wells, D. A. |
| Clowes | Howland | Russell | Wells, J. L. |
| Cohen | Hurd | Sanders | Weston |
| Congdon | Husted | Seeley | Youngs |
| Cookinham | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend section 1 of chapter 466 of the Laws of 1853, entitled 'An act to provide for the incorporation of fire insurance companies,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the

final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|-----------|-----------------|
| Alvord | Clowes | Ingersoll | Sherman |
| Andrews | Congdon | Kennedy | Shuit |
| Baker, B. F. | Costello | Lefever | Sipp |
| Baker, C. S. | Crapsr | Liddle | Sisson |
| Beach | Cullinan | Lindsay | Skinner |
| Beates | Curtis | Low | Slingerland |
| Benedict, E. D. | Davis | McCabe | Steele |
| Benedict, T. E. | Deane | McCarthy | Tallmadge |
| Bennett | Douglass | Miller | Terpeny |
| Bradley | Duell | Mitchell | Terry |
| Brennan | Duguid | Mooers | Titus |
| Bridges | Evans | Newman | Tozier |
| Brodsky | Fish | Nowlan | Travis |
| Bullock | Fiske | O'Brien | Treanor |
| Carpenter, E. A. | Gorsline | Parker | Tuthill, H. H. |
| Carpenter, I. S. | Gray | Peck | Tuttle, R. M. |
| Case | Griggs | Phillips | Van Valkenburgh |
| Catlin | Gwinup | Potter | Warner |
| Chamberlain | Havens | Potts | Waterbury |
| Chase | Hayes | Root | Wells, D. A. |
| Chickering | Hoffman | Russell | Wells, J. L. |
| Childs | Howland | Sanders | Weston |
| Clancy | Hurd | Seeley | Youngs |
| Clark | Husted | Sheridan | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act authorizing the construction of a bridge over the Erie canal at Kent street, in the village of Palmyra," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }
{ NOES 5 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|----------------|
| Alvord | Clowes | Husted | Sheridan |
| Andrews | Conistock | Ingersoll | Sherman |
| Baker, B. F. | Costello | Kennedy | Shuit |
| Baker, C. S. | Crapsr | Lefever | Sipp |
| Beach | Cullinan | Liddle | Sisson |
| Beates | Curtis | Lindsay | Slingerland |
| Benedict, E. D. | Davis | Low | Steele |
| Benedict, T. E. | Deane | McCabe | Tallmadge |
| Bennett | Douglass | Mooers | Terpeny |
| Bradley | Duell | Newman | Terry |
| Bridges | Duguid | Nowlan | Titus |
| Brodsky | Evans | O'Brien | Tozier |
| Bullock | Ferris | O'Connor | Travis |
| Carpenter, E. A. | Fish | Parker | Treanor |
| Carpenter, I. S. | Fiske | Phillips | Tuthill, H. H. |

| | | | |
|-------------|----------|---------|---------------|
| Case | Gorsline | Potter | Tuttle, R. M. |
| Catlin | Gray | Potts | Warner |
| Chamberlain | Griggs | Root | Waterbury |
| Chase | Hayes | Russell | Wells, D. A. |
| Chickering | Hoffman | Sanders | Wells, J. L. |
| Childs | Howland | Seeley | Weston |
| Clancy | Hurd | Shanley | Youngs |
| Clark | | | |

Those who voted in the negative, were

| | | | |
|--------|--------|--------|------|
| Ellis | Havens | Miller | Peck |
| Gwinup | | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Van Valkenburgh offered for the consideration of the House a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return of Assembly bill No. 331, general orders 357, entitled "An act in relation to a certain bridge over the Erie canal, on Mill street, in the city of Lockport," for amendment.

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 763 of the Laws of 1872, entitled 'An act to amend the charter of the village of Saratoga Springs,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 95 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|-----------------|
| Alvord | Congdon | Hurd | Sheridan |
| Andrews | Costello | Husted | Sherman |
| Baker, B. F. | Crapser | Ingersoll | Shuit |
| Baker, C. S. | Cullinan | Kennedy | Sipp |
| Beach | Curtis | Lefever | Sisson |
| Beates | Cushing | Liddle | Skinner |
| Benedict, E. D. | Davis | Lindsay | Slingerland |
| Benedict, T. E. | Deane | Low | Steele |
| Bennett | Douglass | McAvoy | Tallmadge |
| Bradley | Duell | McCabe | Terpeny |
| Brennan | Duguid | Miller | Titus |
| Bridges | Ellis | Mitchell | Tozier |
| Brodsky | Evans | Mooers | Travis |
| Bullock | Ferris | Newman | Treanor |
| Carpenter, E. A. | Fish | Nowlan | Tuthill, H. H. |
| Carpenter, I. S. | Fiske | O'Brien | Tuttle, R. M. |
| Case | Fitzgerald | Phillips | Van Valkenburgh |
| Catlin | Gibbs | Potter | Warner |
| Chamberlain | Gorsline | Potts | Waterbury |

| | | | |
|------------|---------|---------|--------------|
| Chase | Gray | Rhodes | Wells, D. A. |
| Chickering | Gwinup | Root | Wells, J. L. |
| Childs | Havens | Russell | Weston |
| Clark | Hayes | Seeley | Youngs |
| Clowes | Howland | Shanley | |

Those who voted in the negative, were

Peck

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act authorizing and directing the enlargement of the west branch of the Eighteen Mile creek, north of the Erie canal, in the county of Niagara, so as to carry off the surplus waters of the Erie canal, and to prevent the overflow of lands adjacent thereto, and appropriating money for that purpose," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|-----------------|
| Alvord | Costello | Ingersoll | Shanley |
| Andrews | Crapser | Kennedy | Sheridan |
| Baker, B. F. | Cullinan | Lefever | Shuit |
| Baker, C. S. | Curtis | Liddle | Sipp |
| Beach | Davis | Lindsay | Sisson |
| Beates | Deanie | Low | Skinner |
| Benedict, E. D. | Douglass | McCabe | Slingerland |
| Benedict, T.E. | Duell | Miller | Tallmadge |
| Bradley | Duguid | Mitchell | Terpeny |
| Bridges | Ellis | Mooers | Titus |
| Brodsky | Ferris | Newman | Tozier |
| Bullock | Fish | Nowlan | Travis |
| Carpenter, E. A. | Fiske | O'Brien | Tully |
| Carpenter, I. S. | Fitzgerald | O'Connor | Tuthill, H. H. |
| Case | Gorsline | Parker | Tuttle, R. M. |
| Catlin | Gray | Peck | Van Valkenburgh |
| Chamberlain | Griggs | Phillips | Warner |
| Chase | Havens | Potter | Waterbury |
| Chickering | Hayes | Potts | Wells, D. A. |
| Childs | Hoffman | Root | Wells, J. L. |
| Clark | Howland | Russell | Weston |
| Clowes | Hurd | Sanders | Youngs |
| Congdon | Husted | Seeley | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 287 of the Laws of 1879, entitled 'An act to provide for the formation of county and town co-operative insurance companies,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Congdon | Kennedy | Sheridan |
| Andrews | Costello | Lefever | Sherman |
| Baker, B. F. | Cullinan | Liddle | Shuit |
| Baker, C. S. | Curtis | Lindsay | Sipp |
| Beach | Davis | Low | Sisson |
| Beates | Deane | McCabe | Skinner |
| Benedict, E. D. | Douglass | McCarthy | Slingerland |
| Benedict, T. E. | Duell | Miller | Steele |
| Bridges | Duguid | Mitchell | Tallmadge |
| Brodskey | Evans | Mooers | Terpeny |
| Bullock | Fish | Newman | Titus |
| Carpenter, E. A. | Fiske | Nowlan | Tozier |
| Carpenter, I. S. | Gorsline | O'Brien | Travis |
| Case | Gray | O'Connor | Treanor |
| Catlin | Griggs | Parker | Tully |
| Chamberlain | Gwinup | Peck | Tuthill, H. H. |
| Chase | Havens | Phillips | Tuttle, R. M. |
| Chickering | Hayes | Potts | Van Valkenburgh |
| Childs | Hoffman | Root | Waterbury |
| Clark | Howland | Russell | Wells, D. A. |
| Clowes | Hurd | Sanders | Wells, J. L. |
| Cohen | Husted | Seeley | Weston |
| Comstock | Ingersoll | Shanley | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act in relation to Fourth avenue in the city of Brooklyn," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|-----------|-----------------|
| Alvord | Costello | Husted | Sherman |
| Andrews | Cullinan | Ingersoll | Shuit |
| Baker, B. F. | Curtis | Kennedy | Sipp |
| Baker, C. S. | Cushing | Lefever | Sisson |
| Beach | Davis | Liddle | Skinner |
| Beates | Deane | Low | Slingerland |
| Benedict, E. D. | Douglass | McCabe | Tallmadge |
| Benedict, T. E. | Duell | McCarthy | Terpeny |
| Bradley | Duguid | Miller | Titus |
| Brennan | Ellis | Mitchell | Tozier |
| Bridges | Evans | Mooers | Travis |
| Brodskey | Ferris | Nowlan | Treanor |
| Bullock | Fish | O'Brien | Tully |
| Carpenter, E. A. | Fiske | O'Connor | Tuthill, H. H. |
| Carpenter, I. S. | Gorsline | Peck | Tuttle, R. M. |
| Chamberlain | Gray | Phillips | Van Valkenburgh |
| Chase | Griggs | Potter | Warner |
| Chickering | Gwinup | Potts | Waterbury |
| Childs | Havens | Root | Wells, D. A. |
| Clark | Hayes | Russell | Wells, J. L. |

| | | | |
|-----------|---------|---------|--------|
| Clowes | Hoffman | Sanders | Weston |
| Cohen | Howland | Seeley | Youngs |
| Cookinham | Hurd | Shanley | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same, with amendment.

The bill entitled "An act allowing husbands and wives to deed and convey, sell, transfer and assign any real or personal property one to the other directly, and to pass the same title to the property as if the parties were unmarried," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 60 }
{ NOES 19 }

Those who voted in the affirmative, were

| | | | |
|-----------------|------------|----------|----------------|
| Alvord | Clark | Howland | Sheridan |
| Andrews | Clowes | Husted | Skinner |
| Baker, B. F. | Congdon | Lefever | Slingerland |
| Baker, C. S. | Cullinan | Liddle | Tallmadge |
| Beach | Cushing | McAvoy | Terpeny |
| Beates | Douglass | Miller | Titus |
| Benedict, E. D. | Duell | Mooers | Tormey |
| Benedict, T. E. | Duguid | O'Brien | Tozier |
| Bennett | Evans | O'Connor | Tully |
| Brodsky | Ferris | Parker | Tuthill, H. H. |
| Bullock | Fitzgerald | Peck | Tuttle, R. M. |
| Catlin | Gorsline | Potts | Walsh |
| Chase | Gray | Sanders | Waterbury |
| Chickering | Gwinup | Seeley | Wells, D. A. |
| Childs | Hayes | Shanley | Wren |

Those who voted in the negative, were

| | | | |
|------------------|-----------|---------|-------------|
| Bridges | Cookinham | Havens | Sipp |
| Carpenter, E. A. | Curtis | Hoffman | Sisson |
| Carpenter, I. S. | Davis | Lindsay | Youngs |
| Chamberlain | Deane | McCabe | Mr. Speaker |
| Cohen | Ellis | Shuit | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to incorporate the Grand Legion Select Knights of Ancient Order of United Workmen," was read a third time and passed.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 86 }
{ NOES 4 }

Those who voted in the affirmative, were

| | | | |
|--------------|----------|---------|-------------|
| Alvord | Crapser | Kennedy | Sherman |
| Andrews | Cullinan | Lefever | Shuit |
| Baker, B. F. | Curtis | Liddle | Sipp |
| Baker, C. S. | Davis | Lindsay | Sisson |
| Beach | Deane | Low | Skinner |
| Beates | Douglass | McCabe | Slingerland |

| | | | |
|------------------|-----------|----------|-----------------|
| Benedict, T. E. | Duell | Miller | Tallmadge |
| Brennan | Duguid | Mitchell | Terpeny |
| Bridges | Ferris | Mooers | Terry |
| Brodsky | Fish | Newman | Titus |
| Bullock | Fiske | Nowlan | Tozier |
| Carpenter, E. A. | Gorsline | O'Brien | Travis |
| Carpenter, I. S. | Gray | O'Connor | Tuttle, R. M. |
| Chamberlain | Griggs | Parker | Van Valkenburgh |
| Chase | Grosse | Peck | Warner |
| Chickering | Gwinup | Phillips | Waterbury |
| Childs | Hayes | Potts | Wells, D. A. |
| Clancy | Hoffman | Root | Wells, J. L. |
| Clark | Howland | Russell | Weston |
| Clowes | Hurd | Sanders | Wren |
| Comstock | Husted | Seeley | Youngs |
| Cookinham | Ingersoll | | |

Those who voted in the negative, were

| | | | |
|----------------|-------|---------|-------|
| Benedict, E. D | Hagan | Shanley | Tully |
|----------------|-------|---------|-------|

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to prevent any corporation, society, company or association from assuming the same or similar name or title of a corporation already in existence," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|-----------|-----------------|
| Alvord | Comstock | Husted | Shanley |
| Andrews | Congdon | Ingersoll | Sheridan |
| Baker, C. S. | Costello | Kennedy | Sherman |
| Beach | Crapsier | Lefever | Shuit |
| Beates | Cullinan | Liddle | Sipp |
| Benedict, E. D. | Curtis | Lindsay | Sisson |
| Benedict, T. E. | Cushing | Low | Skinner |
| Bennett | Davis | McAvoy | Slingerland |
| Bradley | Deane | McCabe | Steele |
| Brennan | Douglass | Miller | Tallmadge |
| Bridges | Duell | Mooers | Terpeny |
| Brodsky | Duguid | Newman | Terry |
| Bullock | Evans | Nowlan | Titus |
| Carpenter, E. A. | Ferris | O'Brien | Tozier |
| Carpenter, I. S. | Fish | O'Connor | Travis |
| Oase | Gorsline | Parker | Treanor |
| Catlin | Gray | Peck | Van Valkenburgh |
| Chamberlain | Griggs | Phillips | Warner |
| Chase | Grosse | Potter | Waterbury |
| Chickering | Havens | Potts | Wells, D. A. |
| Childs | Hayes | Root | Wells, J. L. |
| Clark | Hoffman | Russell | Weston |
| Clowes | Howland | Sanders | Youngs |
| Cohen | Hurd | Seeley | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to repeal chapter 443 of the Laws of 1868,

entitled 'An act to limit and define the powers and privileges of the Eureka Basin Warehouse and Manufacturing Company of Long Island, passed April 29, 1868,' was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Grasper | Kennedy | Sherman |
| Andrews | Cullinan | Lefever | Shuit |
| Baker, B. F. | Curtis | Liddle | Sipp |
| Baker, C. S. | Cushing | Lindsay | Sisson |
| Beach | Davis | Low | Skinner |
| Beates | Deane | McAvoy | Slingerland |
| Benedict, E. D. | Douglass | McCabe | Steele |
| Benedict, T. E. | Duell | Miller | Tallmadge |
| Bradley | Duguid | Mooers | Terpeny |
| Bridges | Ellis | Newman | Terry |
| Brodsky | Ferris] | Nowlan | Titus |
| Bullock | Fiske | O'Brien | Tozier |
| Carpenter, I. S. | Gorsline | Parker | Travis |
| Chamberlain | Gray | Peck | Treanor |
| Chase | Griggs | Phillips | Tully |
| Chickering | Grosse | Potter | Tuthill, H. H. |
| Childs | Havens | Potts | Van Valkenburgh |
| Clark | Hayes | Root | Warner |
| Clowes | Hoffman | Russell | Waterbury |
| Comstock | Howland | Sanders | Wells, D. A. |
| Congdon | Hurd | Seeley | Wells, J. L. |
| Cookinham | Husted | Shanley | Yongs |
| Costello | Ingersoll | Sheridan | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 65 of the Laws of 1829, entitled 'An act concerning the writ of certiorari in criminal cases,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }
{ NOES 5 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|-----------|-------------|
| Alvord | Clowes | Husted | Sherman |
| Andrews | Cookinham | Ingersoll | Shuit |
| Baker, B. F. | Crasper | Kennedy | Sipp |
| Baker, C. S. | Cullinan | Lefever | Sisson |
| Beach | Curtis | Liddle | Skinner |
| Beates | Davis | Lindsay | Slingerland |
| Benedict, E. D. | Deane | Low | Tallmadge |
| Benedict, T. E. | Douglass | Miller | Terpeny |
| Bennett | Duell | Mooers | Terry |
| Brennan | Duguid | Newman | Titus |
| Bridges | Evans | Nowlan | Tozier |

| | | | |
|------------------|----------|----------|-----------------|
| Bullock | Fish | O'Brien | Travis |
| Carpenter, I. S. | Fiske | Phillips | Tuttle, R. M. |
| Case | Gorsline | Potter | Van Valkenburgh |
| Catlin | Gray | Potts | Warner |
| Chamberlain | Griggs | Root | Waterbury |
| Chase | Hayes | Russell | Wells, D. A. |
| Chickering | Hoffman | Sanders | Wells, J. L. |
| Childs | Howland | Seeley | Weston |
| Clark | Hurd | Sheridan | Youngs |

• Those who voted in the negative, were

| | | | |
|------------|--------|----------|------|
| Cohen | McAvoy | O'Connor | Peck |
| Fitzgerald | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to permit and authorize the city of Albany to issue the bonds of said city for the payment of the expense of draining, grading, forming, paving and flagging a portion of South Pearl street in the city of Albany, and to extend the time of payment of the assessments therefor," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Crapsier | Kennedy | Sherman |
| Andrews | Cullinan | Lefever | Shuit |
| Baker, B. F. | Curtis | Liddle | Sipp |
| Baker, C. S. | Cushing | Lindsay | Sisson |
| Beach | Douglass | Low | Skinner |
| Beates | Duell | McAvoy | Slingerland |
| Benedict, T. E. | Duguid | McCabe | Tallmadge |
| Bennett | Ferris | McCarthy | Terpeny |
| Bridges | Fish | Miller | Terry |
| Brodsky | Fiske | Mooers | Titus |
| Bullock | Gorsline | Newman | Tozier |
| Carpenter, E. A. | Gray | Nowlan | Travis |
| Carpenter, I. S. | Griggs | O'Brien | Trcanor |
| Case | Grosse | Parker | Tully |
| Catlin | Gwinup | Peck | Tuttle, R. M. |
| Chamberlain | Hagan | Phillips | Van Valkenburgh |
| Chase | Havens | Potter | Warner |
| Chickering | Hayes | Potts | Waterbury |
| Childs | Hoffman | Root | Wells, D. A. |
| Clowes | Howland | Russell | Wells, J. L. |
| Comstock | Hurd | Sanders | Weston |
| Congdon | Husted | Seeley | Youngs |
| Cookinham | Ingersoll | Shanley | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to protect the rights of citizens of this State owning and holding claims against other States," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative,

a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 93 }
{ NOES 3 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Douglass | Low | Sisson |
| Andrews | Duell | McAvoy | Slingerland |
| Baker, B. F. | Duguid | McCabe | Steele |
| Baker, C. S. | Ellis | McCarthy | Tallmadge |
| Beach | Ferris | McTernan | Terpeny |
| Beates | Fish | Miller | Terry |
| Benedict, T. E. | Fiske | Moore | Thilemann |
| Bradley | Fitzgerald | Newman | Titus |
| Brennan | Gorsline | Nowlan | Tozier |
| Brodsky | Gray | O'Brien | Travis |
| Bullock | Griggs | O'Connor | Treanor |
| Carpenter, I. S. | Hagan | Peck | Tully |
| Case | Havens | Phillips | Tuthill, H. H. |
| Catlin | Hayes | Potts | Tuttle, R. M. |
| Chamberlain | Hoffman | Root | Van Valkenburgh |
| Chase | Howland | Russell | Walsh |
| Clark | Hurd | Sanders | Warner |
| Clowes | Husted | Seeley | Waterbury |
| Comstock | Ingersoll | Shanley | Wells, D. A. |
| Cookinham | Kennedy | Sheridan | Wells, J. L. |
| Curtis | Lefever | Sherman | Weston |
| Cushing | Liddle | Shuit | Wren |
| Davis | Lindsay | Sipp | Youngs |
| Deane | | | |

Those who voted in the negative, were

Bridges Chickering Congdon

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same, with amendment.

The Senate sent for concurrence the bill entitled "An act to amend chapter 613 of the Laws of 1867, entitled 'An act in confirmation of the conveyance of lands to the Queens County Agricultural Society, and extending the powers of the officers of said society,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Youngs, and by unanimous consent, said bill was substituted for Assembly bill No. 315, now on order of third reading.

On motion of Mr. Youngs, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|---------|-------------|
| Andrews | Cookinham | Lefever | Shuit |
| Baker, B. F. | Costello | Liddle | Sipp |
| Baker, C. S. | Crapser | Lindsay | Sisson |
| Beach | Curtis | Low | Skinner |
| Benedict, E. D. | Davis | McAvoy | Slingerland |

| | | | |
|------------------|-----------|----------|-----------------|
| Benedict, T. E. | Deane | McCabe | Tallmadge |
| Bennett | Douglass | McCarthy | Terpeny |
| Bradley | Duell | Miller | Terry |
| Brennan | Duguid | Moors | Thilemann |
| Bridges | Evans | Newman | Titus |
| Brodsky | Ferris | Nowlan | Tozier |
| Bullock | Fish | O'Brien | Travis |
| Carpenter, E. A. | Fiske | O'Connor | Tully |
| Carpenter, I. S. | Gorsline | Parker | Tuthill, H. H. |
| Case | Gray | Peck | Tuttle, R. M. |
| Catlin | Griggs | Phillips | Van Valkenburgh |
| Chamberlain | Hagan | Potts | Warner |
| Chase | Hayes | Root | Waterbury |
| Chickering | Hoffman | Russell | Wells, D. A. |
| Childs | Howland | Sanders | Wells, J. L. |
| Clark | Hurd | Seeley | Weston |
| Clowes | Husted | Shanley | Wren |
| Cornstock | Ingersoll | Sheridan | Youngs |
| Congdon | Kennedy | Sherman | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to establish a special road district and to appropriate the highway taxes on the non-resident lands therein, for the construction of road from Blood's hotel, in Harrietstown, Franklin county, to Tupper's lake, in the county of Franklin," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES . 93 }
{ NOES . 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Andrews | Cookinham | Kennedy | Sheridan |
| Baker, B. F. | Costello | Lefever | Sherman |
| Baker, C. S. | Cullinan | Liddle | Shuit |
| Beach | Curtis | Lindsay | Sipp |
| Beates | Davis | Low | Sisson |
| Benedict, T. E. | Deane | McAvoy | Skinner |
| Bennett | Douglass | McCabe | Slingerland |
| Bradley | Duell | McCarthy | Steele |
| Brennan | Duguid | Miller | Tallmadge |
| Bridges | Evans | Moors | Terpeny |
| Brodsky | Ferris | Newman | Terry |
| Bullock | Fish | Nowlan | Titus |
| Carpenter, E. A. | Fiske | O'Brien | Tozier |
| Carpenter, I. S. | Gorsline | O'Connor | Travis |
| Case | Gray | Parker | Tuthill, H. H. |
| Catlin | Gwinup | Peck | Tuttle, R. M. |
| Chamberlain | Havens | Phillips | Warner |
| Chase | Hayes | Potts | Waterbury |
| Chickering | Hoffman | Root | Wells, D. A. |
| Childs | Howland | Russell | Wells, J. L. |
| Clark | Hurd | Sanders | Weston |
| Clowes | Husted | Seeley | Wren |
| Cohen | Ingersoll | Shanley | Youngs |
| Congdon | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act authorizing physicians of the different medical schools to meet in consultation," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 90 }
{ NOES 2 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|----------------|
| Alvord | Congdon | Ingersoll | Sherman |
| Andrews | Cookinham | Kennedy | Shuit |
| Baker, B. F. | Costello | Lefever | Sipp |
| Baker, C. S. | Curtis | Liddle | Sisson |
| Beach | Cushing | Lindsay | Skinner |
| Beates | Davis | Low | Slingerland |
| Benedict, E. D. | Deane | McAvoy | Tallmadge |
| Bennett | Douglass | McCabe | Terpeny |
| Bradley | Duell | McCarthy | Terry |
| Brennan | Duguid | Miller | Titus |
| Bridges | Ellis | Mooers | Tormey |
| Brodsky | Ferris | Newman | Tozier |
| Carpenter, E. A. | Fish | Nowlan | Treanor |
| Carpenter, I. S. | Gorsline | O'Brien | Tully |
| Case | Gray | Peck | Tuthill, H. H. |
| Catlin | Griggs | Phillips | Tuttle, R. M. |
| Chamberlain | Grosse | Potts | Warner |
| Chase | Hagan | Root | Waterbury |
| Chickering | Hayes | Russell | Wells, D. A. |
| Childs | Hoffman | Sanders | Weston |
| Clark | Howland | Seeley | Wren |
| Clowes | Hurd | Sheridan | Youngs |
| Comstock | Husted | | |

Those who voted in the negative, were

Havens Wells, J. L.

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 196 of the Laws of 1835, entitled 'An act to incorporate the village of Mount Morris,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|-----------|-------------|
| Alvord | Cohen | Hurd | Sanders |
| Andrews | Congdon | Husted | Shanley |
| Baker, B. F. | Cookinham | Ingersoll | Sheridan |
| Baker, C. S. | Costello | Kennedy | Shuit |
| Beach | Cullinan | Lefever | Sipp |
| Beates | Curtis | Liddle | Sisson |
| Benedict, E. D. | Davis | Lindsay | Slingerland |

| | | | |
|------------------|----------|----------|----------------|
| Benedict, T. E. | Deane | Low | Tallmadge |
| Bennett | Douglass | McAvoy | Terpeny |
| Brennan | Duell | McCabe | Terry |
| Bridges | Duguid | McCarthy | Titus |
| Brodsky | Ellis | Miller | Tozier |
| Bullock | Ferris | Mooers | Travis |
| Carpenter, E. A. | Fish | Newman | Tuthill, H. H. |
| Carpenter, I. S. | Fiske | Nowlan | Tuttle, R. M. |
| Case | Gorsline | O'Brien | Warner |
| Catlin | Gray | Peck | Waterbury |
| Chamberlain | Griggs | Phillips | Wells, D. A. |
| Chase | Grosse | Potter | Wells, J. L. |
| Chickering | Havens | Potts | Weston |
| Childs | Hayes | Root | Wren |
| Clark | Hoffman | Russell | Youngs |
| Clowes | Howland | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to amend title 4, chapter 6, part 2, of the Revised Statutes, relating to the powers and duties of executors and administrators in relation to the sale and disposition of the real estate of their testator or intestate," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Congdon | Lefever | Shuit |
| Andrews | Cookinham | Liddle | Sipp |
| Baker, B. F. | Curtis | Lindsay | Sisson |
| Baker, C. S. | Cushing | Low | Slingerland |
| Beach | Davis | McAvoy | Tallmadge |
| Beates | Deane | McCabe | Terpeny |
| Bennett | Douglass | Miller | Terry |
| Bradley | Duell | Mooers | Titus |
| Bridges | Duguid | Newman | Tormey |
| Brodsky | Ellis | Nowlan | Tozier |
| Bullock | Ferris | O'Brien | Travis |
| Carpenter, E. A. | Fiske | Peck | Tully |
| Carpenter, I. S. | Gorsline | Phillips | Tuthill, H. H. |
| Case | Gray | Potter | Tuttle, R. M. |
| Catlin | Gwinup | Potts | Warner |
| Chamberlain | Havens | Root | Waterbury |
| Chase | Hayes | Russell | Wells, D. A. |
| Chickering | Hoffman | Sanders | Wells, J. L. |
| Childs | Howland | Seeley | Weston |
| Claney | Hurd | Shanley | Wiley |
| Clark | Husted | Sheridan | Wren |
| Clowes | Ingersoll | Sherman | Youngs |
| Comstock | Kennedy | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to authorize the Superintendent of Public Works to construct a lift, hoist, swing or draw bridge over the Erie

canal, upon Genesee street in the city of Utica," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }
{ NOES 2 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|-----------------|
| Alvord | Comstock | Husted | Sherman |
| Andrews | Congdon | Ingersoll | Shuit |
| Baker, B. F. | Cookinham | Kennedy | Sipp |
| Baker, C. S. | Costello | Lefever | Sisson |
| Beach | Cushing | Liddle | Skinner |
| Beates | Davis | Lindsay | Tallmadge |
| Bradley | Deane | Low | Terpeny |
| Brennan | Douglass | McCabe | Terry |
| Bridges | Duell | McCarthy | Thilemann |
| Brodsky | Ferris | Miller | Titus |
| Bullock | Fish | Nowlan | Tozier |
| Carpenter, E. A. | Fiske | O'Brien | Travis |
| Carpenter, I. S. | Gorsline | Peck | Tuthill, H. H. |
| Case | Gray | Phillips | Tuttle, R. M. |
| Catlin | Griggs | Potter | Van Valkenburgh |
| Chamberlain | Grosse | Potts | Warner |
| Chase | Hagan | Root | Waterbury |
| Chickering | Havens | Russell | Wells, D. A. |
| Childs | Hayes | Sanders | Wells, J. L. |
| Clark | Hoffman | Seeley | Weston |
| Clowes | Howland | Shanley | Youngs |
| Cohen | Hurd | Sheridan | |

Those who voted in the negative, were

Curtis Mooers

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 240, Laws of 1827, entitled 'An act for incorporating an aqueduct association in the village of Cooperstown, in the county of Otsego,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|--------------|-----------|-----------|-------------|
| Alvord | Congdon | Hurd | Seeley |
| Andrews | Cookinham | Husted | Shanley |
| Baker, B. F. | Curtis | Ingersoll | Sheridan |
| Baker, C. S. | Cushing | Kennedy | Shuit |
| Beach | Davis | Lefever | Sisson |
| Beates | Deane | Liddle | Skinner |
| Bennett | Douglass | Lindsay | Slingerland |
| Brennan | Duell | Low | Steele |
| Bridges | Duguid | McCabe | Tallmadge |
| Brodsky | Evans | McCarthy | Terpeny |

| | | | |
|------------------|----------|----------|-----------------|
| Bullock | Ferris | Miller | Titus |
| Carpenter, E. A. | Fish | Moovers | Tozier |
| Carpenter, I. S. | Fiske | Newman | Travis |
| Case | Gibbs | Nowlan | Tuthill, H. H. |
| Catlin | Gorsline | O'Brien | Van Valkenburgh |
| Chamberlain | Gray | Peck | Warner |
| Chase | Griggs | Phillips | Waterbury |
| Chickering | Grosse | Potter | Wells, D. A. |
| Childs | Havens | Potts | Wells, J. L. |
| Clark | Hayes | Root | Weston |
| Clowes | Hoffman | Russell | Wren |
| Cohen | Howland | Sanders | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to incorporate Excelsior Hose Company No. 1, of the village of Warwick, New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|----------------|
| Alvord | Congdon | Hurd | Shanley |
| Andrews | Cookinham | Husted | Sheridan |
| Baker, B. F. | Crapser | Ingersoll | Shuit |
| Baker, C. S. | Curtis | Kennedy | Sipp |
| Beach | Davis | Lefever | Sisson |
| Beates | Deane | Liddle | Skinner |
| Benedict, T. E. | Douglass | Lindsay | Steele |
| Bennett | Duell | Low | Tallmadge |
| Bradley | Duguid | McCabe | Terpeny |
| Brennan] | Ellis | Miller | Terry |
| Bridges | Ferris | Moovers | Titus |
| Brodsky | Fish | Newman | Tozier |
| Bullock | Fiske | Nowlan | Travis |
| Carpenter, E. A. | Gibbs | O'Brien | Tully |
| Carpenter, I. S. | Gorsline | Peck | Tuthill, H. H. |
| Case | Gray | Phillips | Tuttle, R. M. |
| Catlin | Griggs | Potter | Warner |
| Chamberlain | Grosse | Potts | Waterbury |
| Chase | Gwinup | Root | Wells, D. A. |
| Chickering | Hayes | Russell | Wells, J. L. |
| Clark | Hoffman | Sanders | Weston |
| Clowes | Howland | Seeley | Youngs |
| Comstock | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to transfer the town of Berlin, in the county of Rensselaer, from the first to the second school commissioner district of said county, and the town of Brunswick in said county, from the second to the first school commissioner district of said county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|-----------------|
| Alvord | Comstock | Ingersoll | Sheridan |
| Andrews | Cookinham | Kennedy | Sherman |
| Baker, B. F. | Cullinan | Lefever | Shuit |
| Baker, C. S. | Curtis | Liddle | Sisson |
| Beach | Davis | Lindsay | Skinner |
| Beates | Deane | Low | Slingerland |
| Benedict, E. D. | Douglass | McAvoy | Steele |
| Benedict, T. E. | Duell | McCabe | Tallmadge |
| Bradley | Duguid | McCarthy | Terpeny |
| Brennan | Ellis | Miller | Terry |
| Bridges | Ferris | Moors | Titus |
| Brodsky | Fish | Newman | Tozier |
| Bullock | Fiske | Nowlan | Treanor |
| Carpenter, E. A. | Gorsline | O'Brien | Tuthill, H. H. |
| Carpenter, I. S. | Gray | Peck | Tuttle, R. M. |
| Case | Griggs | Pitcher | Van Valkenburgh |
| Catlin | Havens | Potter | Warner |
| Chamberlain | Hayes | Potts | Waterbury |
| Chase | Hoffman | Root | Wells, D. A. |
| Chickering | Howland | Russell | Wells, J. L. |
| Childs | Hurd | Seeley | Weston |
| Clark | Husted | Shanley | Wiley |
| Clowes | | | |

¶ *Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend an act entitled 'An act for the relief of stockholders of corporations whose certificates of stock have been lost or destroyed,' passed March 27, 1873," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Cookinham | Lefever | Sherman |
| Andrews | Curtis | Liddle | Shuit |
| Baker, B. F. | Davis | Lindsay | Sipp |
| Baker, C. S. | Deane | Low | Sisson |
| Beach | Douglass | McCabe | Skinner |
| Beates | Duell | McCarthy | Slingerland |
| Benedict, E. D. | Duguid | Miller | Steele |
| Benedict, T. E. | Ellis | Mitchell | Tallmadge |
| Brennan | Evans | Moors | Terpeny |
| Bridges | Ferris | Newman | Terry |
| Brodsky | Fish | Nowlan | Titus |
| Bullock | Fiske | O'Brien | Tozier |
| Carpenter, E. A. | Gorsline | O'Connor | Travis |
| Carpenter, I. S. | Gray | Peck | Tuthill, H. H. |
| Case | Griggs | Phillips | Tuttle, R. M. |
| Catlin | Gwinup | Potter | Van Valkenburgh |
| Chamberlain | Hayes | Potts | Warner |

| | | | |
|------------|-----------|----------|--------------|
| Chase | Hoffman | Root | Waterbury |
| Chickering | Howland | Russell | Wells, D. A. |
| Childs | Hurd | Sanders | Wells, J. L. |
| Clark | Husted | Seeley | Weston |
| Clowes | Ingersoll | Shanley | Wiley |
| Comstock | Kennedy | Sheridan | Youngs |
| Congdon | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend section 435 of the Code of Civil Procedure," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Costello | Kennedy | Shanley |
| Andrews | Cullinan | Lefever | Sheridan |
| Baker, B. F. | Davis | Liddle | Sherman |
| Baker, C. S. | Deane | Lindsay | Shuit |
| Beach | Douglass | Low | Sipp |
| Beates | Duell | McAvoy | Sisson |
| Benedict, T. E. | Duguid | McCabe | Skinner |
| Brennan | Ellis | McDonald | Slingerland |
| Bridges | Evans | Miller | Steele |
| Brodsky | Ferris | Mitchell | Terpeny |
| Bullock | Fish | Mooers | Terry |
| Carpenter, E. A. | Fiske | Newman | Titus |
| Carpenter, I. S. | Gorsline | Nowlan | Tozier |
| Case | Gray | O'Brien | Travis |
| Catlin | Griggs | Peck | Tuthill, H. H. |
| Chamberlain | Gwinup | Phillips | Tuttle, R. M. |
| Chase | Hagan | Potter | Warner |
| Chickering | Hayes | Potts | Waterbury |
| Childs | Hoffman | Rhodes | Wells, D. A. |
| Clancy | Howland | Root | Wells, J. L. |
| Clark | Hurd | Russell | Weston |
| Clowes | Husted | Sanders | Wiley |
| Cookinham | Ingersoll | Seeley | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the protection and preservation of fish in the county of Monroe, State of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|--------------|-----------|-----------|---------|
| Alvord | Cookinham | Ingersoll | Sherman |
| Andrews | Cullinan | Kennedy | Shuit |
| Baker, B. F. | Curtis | Lefever | Sipp |
| Baker, C. S. | Cushing | Liddle | Sisson |

| | | | |
|------------------|----------|----------|-----------------|
| Beach | Davis | Lindsay | Skinner |
| Beates | Deane | Low | Slingerland |
| Benedict, T. E. | Douglass | McCabe | Steele |
| Bradley | Duell | McCarthy | Tallmadge |
| Brennan | Duguid | Miller | Terry |
| Bridges | Ellis | Mitchell | Titus |
| Brodsky | Ferris | Mooers | Tozier |
| Bullock | Fish | Newman | Travis |
| Carpenter, E. A. | Fiske | Nowlan | Tuthill, H. H. |
| Carpenter, I. S. | Gorsline | O'Brien | Tuttle, R. M. |
| Case | Gray | Peck | Van Valkenburgh |
| Catlin | Griggs | Phillips | Warner |
| Chamberlain | Gwinup | Potts | Waterbury |
| Chase | Hagan | Rhodes | Wells, D. A. |
| Chickering | Hayes | Root | Wells, J. L. |
| Childs | Hoffman | Russell | Weston |
| Clancy | Howland | Sanders | Wiley |
| Clowes | Hurd | Seeley | Youngs |
| Comstock | Husted | Sheridan | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the bringing of actions for relief in certain cases where agreements, contracts and instruments in writing have been recorded," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Cookinham | Lefever | Shuit |
| Andrews | Cullinan | Liddle | Sipp |
| Baker, B. F. | Curtis | Lindsay | Sisson |
| Baker, C. S. | Davis | Low | Skinner |
| Beach | Deane | McAvoy | Slingerland |
| Beates | Douglass | McCabe | Steele |
| Benedict, E. D. | Duell | McCarthy | Tallmadge |
| Benedict, T. E. | Ellis | Miller | Terpeny |
| Bradley | Ferris | Mitchell | Terry |
| Brennan | Fish | Mooers | Titus |
| Bridges | Fiske | Newman | Tozier |
| Brodsky | Fitzgerald | Nowlan | Travis |
| Bullock | Gorsline | O'Brien | Treanor |
| Carpenter, E. A. | Gray | Parker | Tully |
| Carpenter, I. S. | Griggs | Peck | Tuthill, H. H. |
| Case | Hagan | Phillips | Tuttle, R. M. |
| Catlin | Havens | Potts | Van Valkenburgh |
| Chamberlain | Hayes | Root | Warner |
| Chase | Hoffman | Russell | Waterbury |
| Chickering | Howland | Sanders | Wells, J. L. |
| Childs | Hurd | Seeley | Weston |
| Clark | Husted | Shanley | Wren |
| Clowes | Ingersoll | Sherman | Youngs |
| Comstock | Kennedy | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned Assembly bill entitled "An act to provide for

repairing or rebuilding and enlarging the City Hall in the city of Albany for the use of said city, and the use of the county of Albany, and to provide means for the payment thereof," with a message that they have concurred in the passage of the same with the following amendments:

Amend section 2, line 16, by inserting after the word "shall" the words "without compensation;" also, same section, line 48, strike out the word "and" where it first occurs in said line.

Amend section 5 by adding thereto the following, viz.:

"Such necessary repairs and the warming, lighting, protection and care of building shall be made and provided for by contract or contracts, each to be entered into by both the mayor of the city of Albany and the chairman of the board of supervisors of the county of Albany, for the time being; and no expense so incurred shall be allowed or directed to be paid by either the board of supervisors of said county, or the common council of said city, until the bills therefor have been duly approved by both the said mayor and chairman, except the salaries of employees which shall have been fixed in writing for a definite period of time at a definite sum, by said mayor and the chairman jointly.

Amend section 6, lines 3, 4 and 5, by striking out the words "who shall be a permanent resident of the city or county of Albany;" also, same section, line 15, by striking out the word "opened" and insert the word "open."

Amend section 8, line 22, by inserting after the word "commissioners" the words "or a majority of them;" also, same section, line 27, by inserting after the word "same" the words "by the county treasurer."

Amend section 10, line 20, by inserting after the word "commissioners" the words "or a majority of them;" also, same section, line 25, by inserting after the word "same" the words "by the city chamberlain;" also, same section, line 32, by inserting after the word "order" the words "signed by a majority of them, and authorized at a meeting of said commissioners duly called."

Amend section 13, line 2, by inserting after the word "contract" the words "or contracts;" also, same section, line 8, by inserting after the word "bond" the words "with sufficient sureties."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }
{ NOES 2 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|-----------|-------------|
| Alvord | Cookinham | Husted | Russell |
| Andrews | Curtis | Ingersoll | Seeley |
| Baker, B. F. | Cushing | Kennedy | Sherman |
| Baker, C. S. | Davis | Lefever | Shuit |
| Beach | Deane | Liddle | Sipp |
| Beates | Douglass | Lindsay | Sisson |
| Benedict, E. D. | Duell | Low | Skinner |
| Bradley | Duguid | McAvoy | Slingerland |
| Brennan | Ellis | McCabe | Tallmadge |
| Bridges | Ferris | McCarthy | Terpeny |
| Brodsky | Fish | Miller | Terry |

| | | | |
|------------------|----------|----------|-----------------|
| Bullock | Fiske | Mitchell | Tormey |
| Carpenter, E. A. | Gorsline | Moers | Tozier |
| Carpenter, I. S. | Gray | Newman | Travis |
| Case | Griggs | Nowlan | Tuthill, H. H. |
| Catlin | Gwinup | O'Brien | Tuttle, R. M. |
| Chamberlain | Hagan | Parker | Van Valkenburgh |
| Chase | Havens | Peck | Waterbury |
| Chickering | Hayes | Phillips | Wells, D. A. |
| Childs | Hoffman | Potter | Wells, J. L. |
| Clowes | Howland | Potts | Wren |
| Comstock | Hurd | Root | |

Those who voted in the negative, were

Shanley Wiley

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The bill entitled "An act to amend chapter 611 of the Laws of 1875, entitled 'An act to provide for the organization and regulation of certain business corporations,'" being announced for a third reading,

On motion of Mr. Travis, and by unanimous consent, said bill was amended in words following:

Line 3, sub-division 11, strike out word "two" and insert "five."

Said bill as amended was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Cookinham | Lindsay | Shuit |
| Andrews | Cullinan | Low | Sipp |
| Baker, B. F. | Curtis | McAvoy | Sisson |
| Baker, C. S. | Cushing | McCabe | Skinner |
| Beach | Davis | McCarthy | Slingerland |
| Beates | Douglass | McTernan | Steele |
| Benedict, E. D. | Duell | Mead | Tallmadge |
| Benedict, T. E. | Ellis | Miller | Terpeny |
| Brennan | Ferris | Mitchell | Terry |
| Bridges | Fish | Moers | Titus |
| Brodsky | Fiske | Newman | Tormey |
| Bullock | Gorsline | Nowlan | Travis |
| Carpenter, E. A. | Gray | O'Brien | Treanor |
| Carpenter, I. S. | Griggs | Peck | Tuthill, H. H. |
| Case | Hagan | Phillips | Tuttle, R. M. |
| Catlin | Hayes | Potter | Van Valkenburgh |
| Chamberlain | Hoffman | Roberts | Warner |
| Chase | Howland | Root | Waterbury |
| Chickering | Hurd | Russell | Wells, J. L. |
| Childs | Husted | Seeley | Weston |
| Clark | Ingersoll | Shanley | Wiley |
| Clowes | Kennedy | Sheridan | Wren |
| Comstock | Lefever | Sherman | Youngs |
| Congdon | Liddle | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to regulate the taking of clams and oysters in the waters of the State of New York on the south side of Staten Island," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 92 }
{ NOES 3 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|-----------|-----------------|
| Alvord | Costello | Ingersoll | Seeley |
| Andrews | Cullinan | Kennedy | Sheridan |
| Baker, B. F. | Curtis | Lefever | Sherman |
| Baker, C. S. | Davis | Liddle | Sipp |
| Beach | Deane | Lindsay | Sisson |
| Beates | Douglass | Low | Skinner |
| Benedict, E. D. | Duell | McAvoy | Slingerland |
| Brennan | Duguid | McCabe | Steele |
| Bridges | Ellis | McCarthy | Tallmadge |
| Brotsky | Evans | McTernan | Terpeny |
| Bullock | Ferris | Mead | Titus |
| Carpenter, E. A. | Fish | Miller | Tozier |
| Carpenter, I. S. | Fiske | Moore | Travis |
| Case | Gorsline | Newman | Tully |
| Chamberlain | Gray | Nowlan | Tuthill, H. H. |
| Chase | Griggs | Parker | Tuttle, R. M. |
| Chickering | Hagan | Peck | Van Valkenburgh |
| Childs | Havens | Phillips | Waterbury |
| Clark | Hayes | Potter | Wells, D. A. |
| Clowes | Hoffman | Potts | Wells, J. L. |
| Comstock | Howland | Root | Weston |
| Congdon | Hurd | Russell | Wren |
| Cookinham | Husted | Sanders | Youngs |

Those who voted in the negative, were

Benedict, T. E. Mitchell Walsh

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to legalize the acts of Franklin C. Whitney as a notary public," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|----------|-------------|
| Alvord | Congdon | Kennedy | Shanley |
| Andrews | Cookinham | Lefever | Sherman |
| Baker, B. F. | Curtis | Liddle | Shuit |
| Baker, C. S. | Oushing | Lindsay | Sipp |
| Beach | Davis | Low | Sisson |
| Beates | Deane | McAvoy | Skinner |
| Benedict, E. D. | Douglass | McCabe | Slingerland |
| Benedict, T. E. | Duell | McCarthy | Steele |
| Bennett | Duguid | McTernan | Tallmadge |
| Brennan | Ellis | Mead | Terry |

| | | | |
|------------------|-----------|----------|----------------|
| Bridges | Ferris | Miller | Titus |
| Brodsky | Fish | Mooers | Tozier |
| Bullock | Fiske | Newman | Travis |
| Carpenter, E. A. | Gorsline | Nowlan | Tully |
| Carpenter, I. S. | Gray | O'Brien | Tuthill, H. H. |
| Case | Griggs | O'Connor | Tuttle, R. M. |
| Catlin | Gwinup | Peck | Warner |
| Chamberlain | Hagan | Potter | Waterbury |
| Chase | Hayes | Potts | Wells, D. A. |
| Chickering | Hoffman | Rhodes | Wells, J. L. |
| Childs | Howland | Root | Weston |
| Clancy | Hurd | Russell | Wren |
| Clowes | Husted | Sanders | Youngs |
| Comstock | Ingersoll | Seeley | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to amend section 3 of chapter 312 of the Laws of 1838, entitled 'An act to appoint trustees of the Jones fund for the support of the poor of the towns of Oyster Bay and North Hempstead, in the county of Queens,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|------------------|
| Alvord | Costello | Liddle | Shuit |
| Andrews | Crapser | Lindsay | Sipp |
| Baker, B. F. | Curtis | Low | Sisson |
| Baker, C. S. | Davis | McAvoy | Skinner |
| Beach | Deane | McCabe | Slingerland |
| Beates | Douglass | McCarthy | Steele |
| Benedict, E. D. | Duell | McTernan | Tallmadge |
| Benedict, T. E. | Duguid | Mead | Terry |
| Bradley | Evans | Miller | Titus |
| Bridges | Ferris | Mitchell | Tozier |
| Brodsky | Fiske | Mooers | Travis |
| Bullock | Gorsline | Nowlan | Treanor |
| Carpenter, E. A. | Gray | O'Brien | Tully |
| Carpenter, I. S. | Griggs | Peck | Tuthill, H. H. |
| Case | Gwinup | Phillips | Tuttle, R. M. |
| Catlin | Havens | Potter | Van Valkenburgh; |
| Chamberlain | Hayes | Potts | Warner |
| Chase | Hoffman | Rhodes | Wells, D. A. |
| Chickering | Howland | Root | Wells, J. L. |
| Childs | Hurd | Russell | Weston |
| Clowes | Husted | Seeley | Wiley |
| Comstock | Ingersoll | Sheridan | Wren |
| Congdon | Kennedy | Sherman | Youngs |
| Cookinham | Lefever | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend chapter 291 of the Laws of 1870, entitled "An act for the incorporation of villages,"" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 96 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Cookinham | Kennedy | Shanley |
| Andrews | Crapser | Lefever | Sheridan |
| Baker, B. F. | Curtis | Liddle | Sherman |
| Baker, O. S. | Davis | Lindsay | Shuit |
| Beach | Deane | Low | Sipp |
| Beates | Douglass | McAvoy | Sisson |
| Benedict, E. D. | Duell | McCabe | Skinner |
| Benedict, T. E. | Duguid | McDonald | Slingerland |
| Brennan | Evans | Mead | Steele |
| Bridges | Ferris | Miller | Tallmadge |
| Brodsky | Fish | Mitchell | Terpeny |
| Bullock | Fiske | Moera | Terry |
| Carpenter, E. A. | Gillette | Nowlan | Titus |
| Carpenter, I. S. | Gorsline | O'Brien | Tozier |
| Case | Gray | Parker | Travis |
| Catlin | Griggs | Peck | Tuthill, H. H. |
| Chamberlain | Hagan | Phillips | Tuttle, R. M. |
| Chase | Havens | Potter | Warner |
| Chickering | Hayes | Potts | Waterbury |
| Childs | Hoffman | Rhodes | Wells, D. A. |
| Clark | Howland | Root | Wells, J. L. |
| Clowes | Hurd | Russell | Weston |
| Comstock | Husted | Sanders | Wref |
| Congdon | Ingersoll | Seeley | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 259 of the Laws of 1848, entitled 'An act to provide for the incorporation of bridge companies,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|----------|-------------|
| Alvord | Crapser | Lefever | Sheridan |
| Andrews | Curtis | Liddle | Shuit |
| Baker, B. F. | Davis | Lindsay | Sipp |
| Baker, O. S. | Deane | Low | Skinner |
| Beach | Douglass | McAvoy | Slingerland |
| Beates | Duell | McCabe | Steele |
| Benedict, E. D. | Duguid | McCarthy | Strait |
| Benedict, T. E. | Ellis | McTernan | Tallmadge |
| Brennan | Evans | Miller | Terpeny |
| Bridges | Fish | Mitchell | Titus |
| Brodsky | Fiske | Moera | Tozier |
| Bullock | Gorsline | Newman | Travis |
| Carpenter, E. A. | Gray | Nowlan | Treanor |
| Carpenter, I. S. | Griggs | O'Brien | Tully |

| | | | |
|-------------|-----------|----------|-----------------|
| Case | Groves | Parker | Tuthill, H. H. |
| Catlin | Gwinap | Peck | Tuttle, R. M. |
| Chamberlain | Havens | Phillips | Van Valkenburgh |
| Chase | Hayes | Potter | Warner |
| Chickering | Hoffman | Potts | Waterbury |
| Childs | Howland | Rhodes | Wells, J. L. |
| Clark | Hurd | Root | Weston |
| Clowes | Husted | Russell | Wiley |
| Congdon | Ingersoll | Seeley | Youngs |
| Cookinham | Kennedy | Shanley | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act supplementary to chapter 368 of the Laws of 1865, entitled 'An act for the incorporation of societies or clubs for certain social or recreative purposes,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|-----------------|
| Alvord | Cookinham | Ingersoll | Sherman |
| Andrews | Cullinan | Kennedy | Shuit |
| Baker, B. F. | Curtis | Lefever | Sipp |
| Baker, C. S. | Cushing | Liddle | Sisson |
| Beach | Davis | Lindsay | Skinner |
| Beates | Deane | Low | Steele |
| Benedict, E. D. | Douglass | McAvoy | Tallmadge |
| Benedict, T. E. | Duell | McCabe | Terry |
| Brennan | Duguid | McDonald | Titus |
| Bridges | Ellis | Mead | Tozier |
| Brodsky | Ferris | Miller | Travis |
| Bullock | Fish | Moorea | Tully |
| Carpenter, E. A. | Fiske | Newman | Tuthill, H. H. |
| Carpenter, I. S. | Gorsline | Nowlan | Tuttle, R. M. |
| Case | Gray | Parker | Van Valkenburgh |
| Catlin | Griggs | Peck | Varnum |
| Chase | Grosse | Phillips | Warner |
| Chickering | Havens | Potts | Waterbury |
| Childs | Hayes | Rhodes | Wells, D. A. |
| Clark | Hoffman | Root | Wells, J. L. |
| Clowes | Howland | Russell | Weston |
| Comstock | Hurd | Sanders | Wren |
| Congdon | Husted | Shanley | Youngs |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to provide for the disposition of a portion of the Chenango canal and what is called and known as the Chenango canal extension, and the lands, rights and other property connected therewith," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Costello | Kennedy | Sheridan |
| Andrews | Cullinan | Lefever | Sherman |
| Baker, B. F. | Curtis | Liddle | Shuit |
| Baker, C. S. | Oushing | Lindsay | Sisson |
| Beach | Davis | Low | Skinner |
| Beates | Douglass | McAvoy | Slingerland |
| Benedict, E. D. | Duell | McCabe | Steele |
| Benedict, T. E. | Duguid | McCarthy | Tallmadge |
| Bradley | Ellis | Mead | Terpeny |
| Brennan | Ferris | Miller | Terry |
| Bridges | Fish | Mitchell | Titus |
| Brodsky | Fiske | Mooers | Travis |
| Bullock | Gorsline | Newman | Tully |
| Carpenter, E. A. | Gray | Nowlan | Tuthill, H. H. |
| Carpenter, I. S. | Griggs | O'Brien | Tuttle, R. M. |
| Catlin | Gwinup | Parker | Van Valkenburgh |
| Chase | Havens | Peck | Warner |
| Chickering | Hayes | Phillips | Waterbury |
| Childs | Hoffman | Potts | Wells, D. A. |
| Clark | Howland | Root | Wells, J. L. |
| Clowes | Hurd | Russell | Wiley |
| Cornstock | Husted | Sanders | Wren |
| Congdon | Ingersoll | Seeley | Youngs |
| Cookinham | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to authorize the exchange of preferred stock for common stock of corporations," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|-----------------|
| Alvord | Congdon | Husted | Seeley |
| Andrews | Cookinham | Ingersoll | Shanley |
| Baker, B. F. | Cullinan | Kennedy | Sheridan |
| Baker, C. S. | Curtis | Lefever | Shuit |
| Beach | Oushing | Liddle | Sipp |
| Beates | Davis | Lindsay | Sisson |
| Benedict, E. D. | Deane | Low | Skinner |
| Benedict, T. E. | Douglass | McCabe | Steele |
| Brennan | Duell | McCarthy | Tallmadge |
| Bridges | Duguid | Mead | Terpeny |
| Brodsky | Ellis | Miller | Terry |
| Bullock | Evans | Mitchell | Titus |
| Carpenter, E. A. | Ferris | Mooers | Tozier |
| Carpenter, I. S. | Fish | Newman | Travis |
| Case | Fiske | Nowlan | Treanor |
| Catlin | Gorsline | O'Brien | Tuthill, H. H. |
| Chamberlain | Gray | Peck | Tuttle, R. M. |
| Chase | Griggs | Phillips | Van Valkenburgh |
| Chickering | Hagan | Potter | Waterbury |
| Childs | Havens | Potts | Wells, D. A. |

| | | | |
|----------|---------|---------|--------------|
| Clanoy | Hayes | Root | Wells, J. L. |
| Clark | Hoffman | Russell | Weston |
| Clowes | Howland | Sanders | Wren |
| Comstock | Hurd | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to reappropriate certain moneys in the treasury for the improvement of the Champlain canal, and of the Glens Falls feeder," being announced for a third reading,

Mr. Hurd moved to recommit said bill to the committee on canals with instructions to amend said bill in words following, and report forthwith :

Add at end of section 1, "The said sum herewith reappropriated, or so much thereof as may be required for immediate expenditure, may from time to time be invested by the Commissioners of the Canal Fund in the revenue bonds of the Comptroller ; but when such bonds shall mature, the proceeds thereof and the interest thereon, when repaid into the treasury, shall revert to the original fund to be applied and expended as hereinbefore provided."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Hurd, from the committee on canals, reported said bill back to the House amended as instructed.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Curtis | Liddle | Sherman |
| Andrews | Cushing | Lindsay | Shuit |
| Baker, B. F. | Davis | Low | Sipp |
| Baker, C. S. | Deane | McCabe | Sisson |
| Beach | Douglass | McCarthy | Skinner |
| Beates | Duell | McTernan | Slingerland |
| Benedict, E. D. | Ellis | Miller | Steele |
| Benedict, T. E. | Evans | Mitchell | Tallmadge |
| Bradley | Ferris | Mooers | Terpeny |
| Brennan | Fish | Newman | Terry |
| Bridges | Fiske | Nowlan | Titus |
| Brodsky | Gorsline | O'Brien | Tozier |
| Bullock | Gray | Parker | Travis |
| Carpenter, E. A. | Griggs | Peck | Tuthill, H. H. |
| Carpenter, I. S. | Hagan | Phillips | Tuttle, R. M. |
| Case | Havens | Potter | Van Valkenburgh |
| Catlin | Hayes | Potts | Warner |
| Chamberlain | Hoffman | Rhodes | Waterbury |
| Chase | Howland | Root | Wells, D. A. |
| Childs | Hurd | Russell | Wells, J. L. |
| Clark | Husted | Sanders | Weston |
| Clowes | Ingersoll | Seeley | Wren |
| Comstock | Kennedy | Sheridan | Youngs |
| Congdon | Lefever | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The bill entitled "An act entitled 'An act to regulate the licensing of physicians and surgeons,'" being announced for a third reading.

On motion of Mr. Bullock, and by unanimous consent, said bill was amended in words following:

Section 7. "All acts and parts of acts inconsistent with this act are hereby repealed."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 79 }
{ NOES 5 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|-------------|-----------------|
| Benedict, E. D. | Gray | Newman | Tallmadge |
| Benedict, T. E. | Grosse | Nowlan | Terpeny |
| Brodsky | Gwinup | O'Brien | Terry |
| Bullock | Havens | Peck | Titus |
| Chamberlain | Hayes | Phillips | Tozier |
| Chickering | Hoffman | Rhodes | Travis |
| Clark | Howland | Root | Treanor |
| Comstock | Hurd | Russell | Tully |
| Crapeer | Husted | Sanders | Tuthill, H. H. |
| Curtis | Ingersoll | Seeley | Tuttle, R. M. |
| Davis | Kennedy | Shanley | Van Valkenburgh |
| Deane | Lefever | Sheridan | Wagner |
| Douglass | Liddle | Sherman | Waterbury |
| Duell | Lindsay | Shuit | Wells, D. A. |
| Ellis | Low | Sipp | Wells, J. I. |
| Evans | McCabe | Sisson | Weston |
| Fish | McDonald | Skinier | Wiley |
| Fiske | Mead | Slingerland | Wren |
| Fitzgerald | Miller | Steele | Youngs |
| Gorsline | Moore | Strait | |

Those who voted in the negative, were

| | | | |
|--------------|---------|------------------|-------|
| Alvord | Bridges | Carpenter, E. A. | Potts |
| Baker, C. S. | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to re-enact and amend the charter of the city of Yonkers and to repeal chapter 579 of the Laws of 1875, entitled 'An act to provide for the construction of sewers in the city of Yonkers.'"

"An act in relation to the opening, regulating and grading of 126th and 127th streets in the city of New York."

The bill entitled "An act to re-enact and amend the charter of the city of Yonkers and to repeal chapter 579 of the Laws of 1875, entitled 'An act to provide for the construction of sewers in the city of Yonkers,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Congdon | Lefever | Shuit |
| Andrews | Cookinham | Liddle | Sipp |
| Baker, B. F. | Cullinan | Lindsay | Sisson |
| Baker, C. S. | Curtis | Low | Skinner |
| Beach | Davis | McAvoy | Slingerland |
| Beates | Deane | McCabe | Steele |
| Benedict, E. D. | Douglass | Mead | Strait |
| Benedict, T. E. | Duell | Miller | Tallmadge |
| Bradley | Ellis | Mitchell | Terry |
| Brennan | Ferris | Mooers | Titus |
| Bridges J. | Fish | Newman | Tozier |
| Brodsky | Fiske | Nowlan | Travis |
| Bullock | Goralline | Peck | Treanor |
| Carpenter, E. A. | Gray | Phillips | Tuthill, H. H. |
| Carpenter, I. S. | Griggs | Potter | Tuttle, R. M. |
| Case | Hagan | Potts | Warner |
| Catlin | Hayes | Rhodes | Waterbury |
| Chamberlain | Hoffman | Root | Wells, D. A. |
| Chase | Howland | Russell | Wells, J. L. |
| Chickering | Hurd | Sanders | Weston |
| Childs | Husted | Seeley | Wren |
| Clark | Ingersoll | Shanley | Youngs |
| Clowes | Kennedy | Sherman | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 647 of the Laws of 1866, entitled 'An act to amend an act entitled 'An act to revise and consolidate the general acts relating to public instruction,' passed May 2, 1864," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Crapeer | Lefever | Shanley |
| Andrews | Cullinan | Liddle | Sherman |
| Baker, B. F. | Curtis | Lindsay | Shuit |
| Baker, C. S. | Davis | Low | Sipp |
| Beach | Deane | McAvoy | Skinner |
| Beates | Douglass | McCabe | Slingerland |
| Benedict, E. D. | Duell | McCarthy | Strait |
| Benedict, T. E. | Duguid | McTernan | Terpeny |
| Bradley | Ellis | Mead | Terry |
| Brennan | Evans | Miller | Titus |
| Bridges | Fish | Mitchell | Tozier |
| Brodsky | Fiske | Mooers | Travis |
| Bullock | Fitzgerald | Newman | Treanor |
| Carpenter, E. A. | Goralline | Nowlan | Tuthill, H. H. |
| Carpenter, I. S. | Gray | Parker | Tuttle, R. M. |
| Catlin | Griggs | Peck | Van Valkenburgh |
| Chase | Havens | Phillips | Warner |

| | | | |
|------------|-----------|---------|--------------|
| Chickering | Hoffman | Potts | Waterbury |
| Childs | Howland | Rhodes | Wells, D. A. |
| Clark | Hurd | Root | Wells, J. L. |
| Clowes | Husted | Russell | Wiley |
| Comstock | Ingersoll | Sanders | Wren |
| Congdon | Kennedy | Seeley | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to amend chapter 287 of the Laws of 1872, entitled 'An act to incorporate the board of Home Missions of the Presbyterian Church in the United States of America, and to enable the Presbyterian Board of Home Missions, formerly the Presbyterian Committee of Home Missions, to transfer its property to said new corporation, the corporate rights, franchises and privileges of the former body, and also to enable said new corporation to accept a transfer of the property of the Trustees of the Board of Domestic Missions of the General Assembly of the Presbyterian Church in the United States of America, and to become the legal successor of the said last-mentioned corporation,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Cookinham | Lefever | Sipp |
| Andrews | Crapser | Liddle | Skinner |
| Baker, B. F. | Curtis | Lindsay | Slingerland |
| Baker, C. S. | Davis | Low | Steele |
| Beach | Deane | McCabe | Strait |
| Beates | Ellis | McCarthy | Tallmadge |
| Benedict, E. D. | Evans | McDonald | Terpeny |
| Benedict, T. E. | Ferris | Mead | Terry |
| Bradley | Fish | Miller | Titus |
| Bridges | Fiske | Moors | Tozier |
| Brodsky | Fitzgerald | Newman | Travis |
| Bullock | Gorsline | Nowlan | Treanor |
| Carpenter, E. A. | Gray | O'Connor | Tully |
| Carpenter, I. S. | Griggs | Peck | Tuthill, H. H. |
| Case | Gwinup | Phillips | Tuttle, R. M. |
| Catlin | Havens | Potts | Van Valkenburgh |
| Chamberlain | Hayes | Rhodes | Warner |
| Chase | Hoffman | Root | Waterbury |
| Chickering | Howland | Sanders | Wells, D. A. |
| Childs | Hurd | Seeley | Wells, J. L. |
| Clark | Husted | Shanley | Weston |
| Clowes | Ingersoll | Sherman | Wren |
| Congdon | Kennedy | Shuit | Youngs |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to amend chapter 365 of the Laws of 1871, entitled 'An act to incorporate the New York Cotton Exchange,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 99 }
{ NOES 00 }.

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Crapser | Kennedy | Shanley |
| Andrews | Curtis | Lefever | Sheridan |
| Baker, B. F. | Davis | Liddle | Shuit |
| Baker, C. S. | Deane | Lindsay | Sipp |
| Beach | Douglass | Low | Sisson |
| Beates | Duell | McAvoy | Skinner |
| Benedict, E. D. | Duguid | McCabe | Steele |
| Benedict, T. E. | Ellis | McCarthy | Strait |
| Bradley | Evans | Mead | Terpeny |
| Bridges | Ferris | Miller | Terry |
| Brodsky | Fish | Mitchell | Titus |
| Bullock | Fiske | Moors | Tozier |
| Carpenter, E. A. | Fitzgerald | Newman | Travis |
| Carpenter, I. S. | Gorsline | Nowlan | Tully |
| Case | Gray | O'Brien | Tuthill, H. H. |
| Catlin | Griggs | O'Connor | Tuttle, R. M. |
| Chamberlain | Grosce | Parker | Van Valkenburgh |
| Chase | Hagan | Peck | Warner |
| Chickering | Havens | Phillips | Waterbury |
| Childs | Hayes | Potts | Wells, D. A. |
| Clark | Hoffman | Rhodes | Wells, J. L. |
| Clowes | Howland | Root | Weston |
| Comstock | Hurd | Russell | Wren |
| Congdon | Husted | Sanders | Yongs |
| Cookinham | Ingersoll | Seeley | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act for the appointment of game and fish protectors," being announced for a third reading,

Mr. Crapser moved to recommit said bill to the committee on game laws, with instructions to strike out the enacting clause.

Mr. Alvord moved to lay said bill with motion on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill entitled "An act to authorize Keeseville Union Free School District No. 1 of the towns of Ausable and Chesterfield, to borrow money and to issue bonds or certificates of indebtedness for the building and furnishing of a new school building and the purchase of a site thereto," was read a third time."

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|---------|----------|---------|-------|
| Alvord | Cullinan | Liddle | Shuit |
| Andrews | Curtis | Lindsay | Sipp |

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| | | | |
|------------------|-----------|----------|-----------------|
| Baker, B. F. | Davis | Low | Sisson |
| Baker, C. S. | Deane | McAvoy | Skinner |
| Beach | Douglass | McCabe | Slingerland |
| Beates | Duell | McDonald | Steele |
| Bennett | Ellis | Mead | Tallmadge |
| Bradley | Evans | Miller | Terpeny |
| Brennan | Ferris | Mitchell | Terry |
| Bridges | Fish | Moors | Titus |
| Brodsky | Fiske | Newman | Tozier |
| Bullock | Gorsline | Nowlan | Travis |
| Carpenter, I. S. | Gray | Parker | Tully |
| Case | Griggs | Peck | Tuthill, H. H. |
| Catlin | Grosse | Phillips | Tuttle, R. M. |
| Chase | Havens | Potter | Van Valkenburgh |
| Chickering | Hayes | Potts | Warner |
| Childs | Hoffman | Rhodes | Waterbury |
| Clark | Howland | Root | Wells, D. A. |
| Clowes | Hurd | Russell | Wells, J. L. |
| Cohen | Husted | Sanders | Weston |
| Congdon | Ingersoll | Shanley | Wren |
| Cookinham | Kennedy | Sheridan | Youngs |
| Crapser | Lefever | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act establishing the compensation of the county judge and surrogate of the county of Rockland," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 99 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Curtis | Lefever | Sherman |
| Andrews | Davis | Liddle | Shuit |
| Baker, B. F. | Deane | Lindsay | Sipp |
| Baker, C. S. | Douglass | Low | Sisson |
| Beach | Duell | McAvoy | Skinner |
| Beates | Duguid | McCabe | Slingerland |
| Bradley | Ellis | McDonald | Steele |
| Brennan | Evans | Mead | Strait |
| Bridges | Ferris | Miller | Tallmadge |
| Brodsky | Fish | Mitchell | Terry |
| Bullock | Fiske | Morgan | Thilemann |
| Carpenter, E. A. | Fitzgerald | Newman | Tozier |
| Carpenter, I. S. | Gorsline | Nowlan | Travis |
| Case | Gray | O'Brien | Treanor |
| Catlin | Griggs | O'Connor | Tully |
| Chamberlain | Grosse | Parker | Tuthill, H. H. |
| Chase | Hagan | Peck | Tuttle, R. M. |
| Childs | Havens | Phillips | Van Valkenburgh |
| Clark | Hayes | Potter | Waterbury |
| Clowes | Hoffman | Potts | Wells, D. A. |
| Comstock | Howland | Rhodes | Wells, J. L. |
| Congdon | Hurd | Root | Weston |
| Cookinham | Husted | Russell | Wren |
| Crapser | Ingersoll | Sanders | Youngs |
| Oullinan | Kennedy | Shanley | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the review and correction of illegal erroneous or unequal assessment," being announced for a third reading,

On motion of Mr. Travis and by unanimous consent, Senate bill No. 99 was substituted for said bill.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }
{ NOES 6 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|----------|----------------|
| Alvord | Cullinan | McCabe | Sipp |
| Andrews | Curtis | McCarthy | Sisson |
| Baker, B. F. | Davis | Mead | Skinner |
| Baker, C. S. | Douglass | Miller | Steele |
| Beach | Duell | Mitchell | Strait |
| Beates | Duguid | Moore | Terpeny |
| Benedict, T. E. | Ellis | Nowlan | Terry |
| Bradley | Fiske | O'Brien | Titus |
| Brennan | Gorsline | Parker | Travis |
| Brodskey | Gray | Phillips | Tully |
| Bullock | Gwinup | Potter | Tuthill, H. H. |
| Carpenter, I. S. | Havens | Potts | Tuttle, R. M. |
| Case | Hayes | Rhodes | Walsh |
| Catlin | Howland | Root | Waterbury |
| Chamberlain | Hurd | Sanders | Wells, D. A. |
| Chase | Husted | Seeley | Wells, J. L. |
| Chickering | Kennedy | Shanley | Weston |
| Clark | Lefever | Sherman | Wren |
| Clowes | Liddle | Shuit | Youngs |
| Crapser | Low | | |

Those who voted in the negative, were

| | | | |
|------------------|--------|---------|-----------|
| Carpenter, E. A. | Ferris | Hoffman | Ingersoll |
| Cookinham | Griggs | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

A message was received from the Governor, in words following :

STATE OF NEW YORK, EXECUTIVE DEPARTMENT, }
ALBANY, May 3, 1880. }

To the Assembly:

Pursuant to a joint resolution of the Senate and Assembly, herewith is returned, for amendment, Assembly bill No. 564, entitled "An act to amend chapter 356 of the Laws of 1865, entitled 'An act to incorporate the city of Lockport and the acts amendatory thereof.'"

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 96 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Congdon | Kennedy | Sherman |
| Andrews | Cookinham | Lefever | Shuit |
| Baker, B. F. | Crapser | Liddle | Sipp |
| Baker, C. S. | Curtis | Lindsay | Sisson |
| Beach | Davis | Low | Skinner |
| Beates | Deane | McCabe | Slingerland |
| Benedict, E. D. | Douglass | McCarthy | Steele |
| Benedict, T. E. | Duell | McDonald | Tallmadge |
| Bennett | Duguid | Mead | Terpeny |
| Brennan | Ellis | Miller | Terry |
| Bridges | Ferris | Mitchell | Titus |
| Brodsky | Fish | Mooers | Tozier |
| Bullock | Fiske | Newman | Tully |
| Carpenter, E. A. | Gorsline | Nowlan | Tuthill, H. H. |
| Carpenter, I. S. | Gray | O'Connor | Tuttle, R. M. |
| Case | Griggs | Peck | Van Valkenburgh |
| Oatlin | Gwinup | Phillips | Warner |
| Chamberlain | Havens | Potter | Waterbury |
| Chase | Hayes | Potts | Wells, D. A. |
| Chickering | Hoffman | Rhodes | Wells, J. L. |
| Childs | Howland | Root | Weston |
| Clark | Hurd | Russell | Wiley |
| Clowes | Husted | Sanders | Wren |
| Gamstock | Ingersoll | Shanley | Youngs |

Mr. Van Valkenburgh moved to recommit said bill to the committee on affairs of cities with instructions to amend said bill in words following, and report forthwith :

Section 1, line 1, strike out words "subdivision 27 of section 8 of title 3" and insert "section 1 of title 6;" also, strike out lines 5, 6 and 7, down to and including word "city" in line 7.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Cookinham | Kennedy | Shanley |
| Andrews | Cullinan | Lefever | Sheridan |
| Baker, B. F. | Curtis | Liddle | Sherman |
| Baker, C. S. | Davis | Lindsay | Shuit |
| Beach | Deane | Low | Sipp |
| Beates | Douglass | McAvoy | Skinner |
| Benedict, T. E. | Duell | McCabe | Slingerland |
| Bradley | Duguid | McCarthy | Steele |
| Brennan | Ellis | McDonald | Tallmadge |
| Bridges | Ferris | Mead | Terry |
| Brodsky | Fish | Miller | Thilemann |
| Bullock | Fiske | Mitchell | Tozier |
| Carpenter, E. A. | Gorsline | Mooers | Travis |
| Carpenter, I. S. | Gray | Newman | Tuthill, H. H. |
| Case | Griggs | Nowlan | Tuttle, R. M. |

| | | | |
|-------------|-----------|----------|-----------------|
| Catlin | Grosse | Parker | Van Valkenburgh |
| Chamberlain | Gwinup | Peck | Warner |
| Chase | Hagan | Phillips | Waterbury |
| Chickering | Hayes | Potter | Wells, D. A. |
| Childs | Hoffman | Potts | Wells, J. L. |
| Clark | Howland | Root | Weston |
| Clowes | Hurd | Sanders | Wren |
| Cohen | Husted | Seeley | Youngs |
| Congdon | Ingersoll | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The Senate sent for concurrence the following resolution :

Resolved (if the Assembly concur), That a respectful message be sent to the Governor requesting the return of Senate bill No. 100, entitled "An act in relation to the deposit of stocks in the bank department for correction."

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate.

A message was received from the Governor, in words following :

STATE OF NEW YORK, EXECUTIVE CHAMBER, }
ALBANY, May 3, 1880. }

To the Assembly :

In accordance with a joint resolution of the Senate and Assembly, herewith is returned, for amendment, Assembly bill No. 360, entitled "An act conferring additional powers upon the trustees of the village of LeRoy."

ALONZO B. CORNELL

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|----------|-----------------|
| Alvord | Cullinan | Lefever | Sherman |
| Andrews | Curtis | Liddle | Shuit |
| Baker, B. F. | Davis | Lindsay | Sipp |
| Baker, O. S. | Deane | McAvoy | Sisson |
| Beach | Douglass | McCabe | Skinner |
| Beates | Duell | McCarthy | Slingerland |
| Benedict, T. E. | Duguid | Mead | Steele |
| Bradley | Ellis | Miller | Tallmadge |
| Bridges | Evans | Mitchell | Terry |
| Brodsky | Fish | Mooers | Titus |
| Bullock | Fiske | Newman | Tozier |
| Carpenter, E. A. | Gorsline | Nowlan | Travis |
| Carpenter, I. S. | Gray | O'Brien | Tully |
| Case | Griggs | Parker | Tuthill, H. H. |
| Catlin | Grosse | Peck | Tuttle, R. M. |
| Chamberlain | Gwinup | Phillips | Van Valkenburgh |
| Chase | Havens | Potter | Warner |
| Chickering | Hayes | Potts | Waterbury |
| Childs | Hoffman | Root | Wells, D. A. |

| | | | |
|-----------|-----------|----------|--------------|
| Clark | Howland | Russell | Wells, J. L. |
| Clowes | Hurd | Sanders | Weston |
| Congdon | Husted | Shanley | Wren |
| Cookinham | Ingersoll | Sheridan | Youngs |
| Crapeer | Kennedy | | |

Mr. Sanders moved to recommit said bill to the committee on affairs of villages with instructions to amend said bill in words following, and report forthwith:

Section 1, subdivision 13 of section 3 of title 4 of an act to amend and consolidate the charter of the village of LeRoy, is hereby amended so as to read as follows:

Section 13. To authorize the street commissioner to keep the sidewalks clean of snow, and pay the expense from the highway funds; also, to cause that portion of Main street in said village lying between Main street bridge and Cryse street to be sprinkled and kept free from dust; the necessary expense thereof shall be a charge upon the property to be benefited thereby, and shall be assessed thereon by said board of trustees in proportion to the benefit received, and shall be collected of the occupants of said property, and in the same manner as other taxes of said village are collected.

§ 2. This act shall take effect immediately.

Amend the title so as to read as follows:

To amend chapter 251 of the Laws of 1857, entitled "An act to amend and consolidate the charter of the village of LeRoy."

Mr. Sanders, from the committee on affairs of villages, reported said bill back to the House amended as instructed.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Crapeer | Lefever | Sherman |
| Andrews | Cullinan | Liddle | Shuit |
| Baker, B. F. | Curtis | Lindsay | Sipp |
| Baker, C. S. | Davis | Low | Sisson |
| Beach | Deane | McCabe | Skinner |
| Beates | Douglass | McCarthy | Slingerland |
| Benedict, T. E. | Duell | Mead | Steele |
| Bennett | Duguid | Miller | Tallmadge |
| Bradley | Ellis | Mitchell | Terry |
| Brennan | Ferris | Moore | Thilemann |
| Bridges | Fish | Newman | Tormey |
| Brodsky | Fiske | Nowlan | Travis |
| Bullock | Gibbs | O'Brien | Tully |
| Carpenter, E. A. | Carpentine | Parker | Tuthill, H. H. |
| Carpenter, I. S. | Gray | Peck | Tuttle, R. M. |
| Case | Griggs | Phillips | Van Valkenburgh |
| Catlin | Havens | Potts | Varnum |
| Chamberlain | Hayes | Rhodes | Warner |
| Chase | Howland | Root | Waterbury |
| Chickering | Hurd | Russell | Wells, J. L. |
| Clark | Husted | Sanders | Weston |

Clowes
Comstock
Cookinham

Ingersoll
Kennedy

Seeley
Shanley

Youngs
Mr. Speaker

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The Assembly "Concurrent resolution proposing amendments to article 7 of the Constitution, and providing for the maintenance of the canals by the revenue thereof," being announced for a third reading,

Mr. Curtis moved to recommit said concurrent resolution to the committee on canals with instructions to amend said resolution in words following, and report forthwith :

Strike out all after the word "contract" in line 17 of printed bill down to and including the word "forever," at the end of line 20; also, after section 6, insert the following: "The Legislature shall not sell, lease or otherwise dispose of the Erie canal, the Oswego canal, the Champlain canal, the Cayuga and Seneca canals or the Black River canal; but they shall remain the property of the State and under its management forever. Hereafter the expenditures for collection, superintendence, ordinary and extraordinary repairs on the canals named in this section shall not exceed, in any year, their gross receipts for the previous year, except as in this section hereinafter provided.

Also, after the word "legislature" in line 44, insert the following: "by a two-thirds vote of all the members elected to either branch thereof;" also, after the word "or," in line 46, insert the words "or for repairing any unforeseen or unprovided for disaster to the canals or;" also, in same line, strike out the words "of the canals" and insert the following: "thereof; and in addition thereto the Legislature may, by a two-third vote of all the members elected to either branch thereof, provide for the transfer out of any unexpended balances in the treasury to said 'canal repair trust fund,' each year, such sum or sums as will be sufficient to replace any portion of such fund used and expended in defraying the expenses necessarily incurred in repairing any unforeseen or unprovided for disaster to the said canals."

The hour of two having arrived, the House took a recess until four P. M.

FOUR O'CLOCK, P. M.

The House again met.

The Speaker directed the Clerk to call the roll of members and ascertain if a quorum was present, and the following members answered to their names:

| | |
|------------------|----------|
| Alvord | Congdon |
| Andrews | Crapser |
| Beach | Cullinan |
| Beates | Curtis |
| Benedict, E. D. | Davis |
| Bradley | Deane |
| Bridges | Duell |
| Brodsky | Evans |
| Carpenter, I. S. | Fish |
| Case | Fiske |
| Catlin | Griggs |
| Chamberlain | Gwinup |

| |
|---------|
| Lefever |
| Liddle |
| Lindsay |
| Low |
| Mead |
| Mooers |
| Newman |
| Peck |
| Potter |
| Potts |
| Root |
| Sanders |

| |
|-----------------|
| Strait |
| Tallmadge |
| Terpeny |
| Thilemann |
| Titus |
| Tozier |
| Travis |
| Tully |
| Tuttle, R. M. |
| Van Valkenburgh |
| Walsh |
| Warner |

| | | | |
|------------|-----------|---------|--------------|
| Chase | Hagan | Shanley | Waterbury |
| Chickering | Havens | Sherman | Wells, D. A. |
| Childs | Hoffman | Shuit | Wells, J. L. |
| Clancy | Howland | Sipp | Weston |
| Clark | Hurd | Sisson | Youngs |
| Clowes | Ingersoll | Skinner | Mr. Speaker, |
| Comstock | Kennedy | Steele | 76 |

A quorum being present,

Mr. Speaker stated the pending question, at the hour of recess, was the amendments offered by Mr. Curtis.

Mr. Speaker put the question whether the House would agree to said amendments, and it was determined in the negative.

{ AYES 27 }
{ NOES 65 }

Those who voted in the affirmative, were

| | | | |
|------------------|---------|--------|---------------|
| Andrews | Childs | Griggs | Steele |
| Beates | Clancy | Gwinup | Strait |
| Benedict, T. E. | Cohen | Havens | Tozier |
| Brennan | Crapser | Nowlan | Travis |
| Bridges | Curtis | Peck | Tuttle, R. M. |
| Carpenter, I. S. | Evans | Potts | Weston |
| Chamberlain | Fish | Rhodes | |

Those who voted in the negative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Deane | McDonald | Shuit |
| Baker, B. F. | Douglass | Mead | Sipp |
| Baker, C. S. | Duell | Miller | Sisson |
| Bradley | Duguid | Mitchell | Skinner |
| Brodsky | Ferris | Mooers | Tallmadge |
| Carpenter, E. A. | Fiske | O'Brien | Terpeny |
| Catlin | Fitzgerald | O'Connor | Terry |
| Chickering | Gray | Phillips | Thilemann |
| Clark | Hayes | Potter | Titus |
| Clowes | Howland | Root | Tully |
| Comstock | Hurd | Russell | Van Valkenburgh |
| Congdon | Kennedy | Sanders | Walsh |
| Cookinham | Lefever | Sealey | Warner |
| Costello | Liddle | Shanley | Waterbury |
| Cullinan | Lindsay | Sheridan | Wells, D. A. |
| Cushing | Low | Sherman | Wells, J. L. |
| Davis | | | |

Mr. Speaker then put the question whether the House would agree to the adoption of said concurrent resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 72 }
{ NOES 23 }

Those who voted in the affirmative, were

| | | | |
|-----------------|----------|----------|-----------|
| Alvord | Cullinan | Kennedy | Sherman |
| Baker, B. F. | Cushing | Lefever | Sipp |
| Baker, C. S. | Davis | Liddle | Skinner |
| Beach | Deane | Lindsay | Tallmadge |
| Benedict, T. E. | Douglass | Low | Terpeny |
| Bradley | Duell | McDonald | Terry |
| Brodsky | Duguid | Mead | Thilemann |
| Bullock | Ferris | Miller | Titus |

| | | | |
|------------|------------|----------|-----------------|
| Catlin | Fiske | Mitchell | Travis |
| Chase | Fitzgerald | Mooers | Treanor |
| Chickering | Gorsline | Newman | Tully |
| Clancy | Gray | O'Brien | Van Valkenburgh |
| Clark | Hagan | O'Connor | Walsh |
| Clowes | Hayes | Phillips | Warner |
| Comstock | Hoffman | Potter | Waterbury |
| Congdon | Howland | Russell | Wells, J. L. |
| Cookinham | Hurd | Seeley | Youngs |
| Costello | Ingersoll | Shanley | Mr. Speaker |

Those who voted in the negative, were

| | | | |
|------------------|---------|--------|---------------|
| Andrews | Case | Griggs | Sisson |
| Beates | Childs | Gwinup | Steele |
| Benedict, E. D. | Cohen | Havens | Tozier |
| Brennan | Crapser | Peck | Tuttle, R. M. |
| Bridges | Curtis | Potts | Wiley |
| Carpenter, I. S. | Fish | Rhodes | |

Ordered, That the Clerk deliver said concurrent resolution to the Senate, and request their concurrence therein.

Mr. Titus offered for the consideration of the House a resolution in the words following :

Resolved (if the Senate concur), That a respectful message be sent to the Governor, for the return of Assembly bill No. 280, entitled "An act to transfer to Cornell University the securities, moneys and contracts constituting and relating to the Cornell endowment fund," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The bill entitled "An act relating to certain streets and avenues in Astoria, Long Island City," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|-----------------|
| Alvord | Comstock | Hurd | Sheridan |
| Andrews | Congdon | Ingersoll | Sherman |
| Baker, B. F. | Cookinham | Kennedy | Shuit |
| Baker, C. S. | Curtis | Lefever | Sipp |
| Beach | Davis | Liddle | Sisson |
| Beates | Deane | Lindsay | Skinner |
| Benedict, E. D. | Douglass | Low | Slingerland |
| Bradley | Duell | McDonald | Steele |
| Brennan | Duguid | Mead | Tallmadge |
| Bridges | Evans | Miller | Terpeny |
| Brodsky | Ferris | Mitchell | Titus |
| Bullock | Fish | Mooers | Tozier |
| Carpenter, E. A. | Fiske | Newman | Travis |
| Carpenter, I. S. | Fitzgerald | O'Brien | Tully |
| Case | Gorsline | Peck | Tuttle, R. M. |
| Catlin | Gray | Phillips | Van Valkenburgh |
| Chamberlain | Griggs | Potter | Warner |
| Chase | Gwinup | Potts | Waterbury |
| Chickering | Hagan | Rhodes | Wells, D. A. |

| | | | |
|--------|---------|---------|--------------|
| Childs | Havens | Root | Wells, J. L. |
| Clark | Hayes | Russell | Weston |
| Clowes | Hoffman | Sanders | Wiley |
| Cohen | Howland | Seeley | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages; also, chapter 870 of the Laws of 1871, entitled 'An act to amend an act for the incorporation of villages,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }
{ NOES 2 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Cookinham | Lefever | Sipp |
| Andrews | Crapser | Liddle | Sisson |
| Baker, B. F. | Cullinan | Lindsay | Skinner |
| Baker, C. S. | Ourtis | Low | Slingerland |
| Beach | Davis | McDonald | Steele |
| Beates | Deane | Mead | Strait |
| Benedict, E. D. | Douglass | Miller | Tallmadge |
| Brennan | Duell | Mitchell | Terpeny |
| Bridges | Duguid | Moore | Terry |
| Brodney | Evans | Newman | Titus |
| Bullock | Ferris | Nowlan | Tozier |
| Carpenter, E. A. | Fish | O'Brien | Travis |
| Carpenter, I. S. | Gibbs | Peck | Treanor |
| Case | Gorsline | Phillips | Tully |
| Catlin | Gray | Potts | Tuthill, H. H. |
| Chamberlain | Griggs | Root | Tuttle, R. M. |
| Chase | Hagan | Russell | Van Valkenburgh |
| Chickering | Hayes | Sanders | Warner |
| Childs | Hoffman | Seeley | Waterbury |
| Clark | Howland | Shanley | Wells, D. A. |
| Clowes | Hurd | Sheridan | Wells, J. L. |
| Comstock | Ingersoll | Sherman | Weston |
| Congdon | Kennedy | Shuit | Youngs |

Those who voted in the negative, were

| | | |
|-----------------|--------|-------|
| Benedict, T. E. | Havens | Walsh |
|-----------------|--------|-------|

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act to regulate the use of intoxicating liquors in poor-houses, juvenile reformatories, protectories, houses of refuge, jails, penitentiaries and prisons.

A message was received from the Governor in the words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }
ALBANY, May 4, 1880. }

To the Assembly:

In accordance with a joint resolution of the Senate and Assembly,

herewith is returned, for amendment, Assembly bill No. 243, entitled "An act repealing certain acts and parts of acts."

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|-----------------|
| Alvord | Cohen | Howland | Sanders |
| Andrews | Comstock | Hurd | Seeley |
| Baker, B. F. | Congdon | Ingersoll | Sherman |
| Baker, C. S. | Cookinham | Kennedy | Shuit |
| Beach | Crapser | Lefever | Sipp |
| Beates | Cullinan | Liddle | Sisson |
| Benedict, E. D. | Curtis | Lindsay | Slingerland |
| Bradley | Cushing | Low | Steele |
| Brennan | Deane | McCabe | Tallmadge |
| Bridges | Douglass | McDonald | Terpeny |
| Brodsky | Duell | Mead | Terry |
| Bullock | Duguid | Miller | Titus |
| Carpenter, I. S. | Ferris | Moore | Tozier |
| Case | Fish | Newman | Travis |
| Catlin | Gorsline | Nowlan | Tuttle, R. M. |
| Chamberlain | Gray | O'Brien | Van Valkenburgh |
| Chase | Griggs | Peck | Warner |
| Chickering | Hagan | Phillips | Waterbury |
| Childs | Havens | Potter | Wells, D. A. |
| Clark | Hayes | Potts | Wells, J. L. |
| Clewes | Hoffman | Root | |

On motion of Mr. Terry, and by unanimous consent, said bill was amended as follows:

1. By inserting in sub-division 2 of section 1 of the said act, immediately after the words "the concluding portion of section 58," the following words "as amended by chapter 362 of the Laws of 1863."

2. By striking out of section 1 of the said act, the following words and figures "42 of the Laws of 1836," and by inserting in place thereof the following words and figures "42 of the Laws of 1866."

3. By striking out of sub-division 4 of section 3 of the said act, the words "in a criminal action or special proceeding," and by inserting in place thereof the words "in a criminal action or a criminal special proceeding."

Said bill, as amended, was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|---------|----------|-----------|---------|
| Alvord | Comstock | Ingersoll | Shanley |
| Andrews | Congdon | Kennedy | Sherman |

| | | | |
|------------------|-----------|----------|-----------------|
| Baker, B. F. | Cookinham | Lefever | Shuit |
| Baker, O. S. | Crapser | Liddle | Sipp |
| Beach | Cullinan | Lindsay | Sisson |
| Beates | Curtis | Low | Skinner |
| Benedict, E. D. | Davis | McDonald | Steele |
| Brennan | Deane | Mead | Tallmadge |
| Bridges | Douglass | Miller | Terpeny |
| Brodsky | Duguid | Mitchell | Terry |
| Bullock | Ferris | Moors | Titus |
| Carpenter, E. A. | Fish | Newman | Tozier |
| Carpenter, I. S. | Gorsline | Nowlan | Travis |
| Case | Gray | Peck | Tuttle, R. M. |
| Catlin | Grosse | Phillips | Van Valkenburgh |
| Chamberlain | Hagan | Potter | Warner |
| Chase | Havens | Potts | Waterbury |
| Chickering | Hayes | Robt | Wells, J. L. |
| Childs | Hoffman | Russell | Weston |
| Clark | Howland | Seeley | Youngs |
| Clowes | Hurd | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A message was received from the Governor in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }
ALBANY, May 3, 1880. }

To the Assembly:

In accordance with a joint resolution of the Senate and Assembly, herewith is returned, for amendment, Assembly bill No. 73, entitled "An act for the better protection of the traveling public."

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|-----------------|
| Alvord | Comstock | Howland | Russell |
| Andrews | Congdon | Hurd | Sanders |
| Baker, B. F. | Cookinham | Ingersoll | Seeley |
| Baker, O. S. | Crapser | Kennedy | Sheridan |
| Beach | Cullinan | Lefever | Sherman |
| Beates | Curtis | Liddle | Sipp |
| Benedict, E. D. | Davis | Lindsay | Sisson |
| Benedict, T. E. | Deane | Low | Slingerland |
| Bradley | Douglass | McAvoy | Steele |
| Brennan | Duell | McDonald | Terpeny |
| Bridges | Duguid | Mead | Titus |
| Brodsky | Ellis | Miller | Tozier |
| Bullock | Evans | Mitchell | Travis |
| Carpenter, I. S. | Fish | Moors | Tully |
| Case | Fiske | Newman | Tuttle, R. M. |
| Catlin | Gorsline | Nowlan | Van Valkenburgh |
| Chamberlain | Gray | O'Brien | Warner |
| Chase | Griggs | Peck | Waterbury |
| Chickering | Grosse | Phillips | Wells, D. A. |

Childs
Clark
Clowes

Hayes
Hoffman

Potts
Root

Weston
Youngs

On motion of Mr. Duguid, and by unanimous consent, said bill was amended as follows:

Insert at the beginning of section 1 the following words: "The Governor is hereby authorized, in his discretion, to appoint;" also, in section 1, line 1, after the word "all" insert the words "or any;" also, section 1, line 2, strike out the words "shall be."

Said bill, as amended, was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|-----------------|
| Alvord | Congdon | Ingersoll | Shanley |
| Andrews | Cookinham | Kennedy | Sheridan |
| Baker, B. F. | Crapser | Lefever | Shuit |
| Baker, C. S. | Cullinan | Liddle | Sipp |
| Beach | Curtis | Lindsay | Sisson |
| Beates | Davis | Low | Skinner |
| Benedict, T. E. | Deane | McDonald | Slingerland |
| Bradley | Douglass | Mead | Steele |
| Brennan | Duell | Miller | Talmadge |
| Bridges | Duguid | Mitchell | Terry |
| Brodsky | Evans | Mooers | Titus |
| Bullock | Ferris | Newman | Tozier |
| Carpenter, E. A. | Fiske | Nowlan | Travis |
| Carpenter, I. S. | Gorsline | O'Brien | Tully |
| Catlin | Gray | Parker | Tuttle, R. M. |
| Chamberlain | Griggs | Peck | Van Valkenburgh |
| Chickering | Gwinup | Phillips | Warner |
| Childs | Hayes | Potts | Waterbury |
| Clark | Hoffman | Root | Wells, J. L. |
| Clowes | Howland | Russell | Weston |
| Comstock | Hurd | Sanders | Wren |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The bill entitled "An act to authorize the incorporation of the Red House Driving Park Agricultural Society among the Indians of the Allegany and Cattaraugus reservations," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|--------------|-----------|-----------|----------|
| Alvord | Comstock | Hurd | Russell |
| Andrews | Congdon | Ingersoll | Seeley |
| Baker, B. F. | Cookinham | Kennedy | Shanley |
| Baker, C. S. | Crapser | Lefever | Sheridan |
| Beach | Cullinan | Liddle | Shuit |

| | | | |
|------------------|----------|----------|-----------------|
| Beates | Davis | Lindsay | Sisson |
| Benedict, E. D. | Deane | Low | Skinner |
| Bradley | Douglass | McCabe | Steele |
| Brennan | Duell | McDonald | Terpeny |
| Bridges | Duguid | Mead | Terry |
| Brodsky | Ellis | Miller | Titus |
| Bullock | Ferris | Mitchell | Tozier |
| Carpenter, E. A. | Fish | Moore | Travis |
| Carpenter, I. S. | Fiske | Newman | Tully |
| Cass | Gorsline | Nowlan | Van Valkenburgh |
| Catlin | Gray | O'Brien | Warner |
| Chase | Griggs | Peck | Waterbury |
| Chickering | Gwinup | Phillips | Wells, J. L. |
| Childs | Hayes | Potter | Weston |
| Clark | Hoffman | Potts | Youngs |
| Clowes | Howland | Root | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to validate the certificate of incorporation, and to legalize the acts of the Walton Water Company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Cullinan | Liddle | Sipp |
| Andrews | Davis | Low | Sisson |
| Baker, B. F. | Deane | McCabe | Steele |
| Baker, C. S. | Douglass | McDonald | Terpeny |
| Beach | Duell | Mead | Terry |
| Beates | Duguid | Miller | Titus |
| Benedict, E. D. | Ellis | Mitchell | Tozier |
| Benedict, T. E. | Evans | Moore | Travis |
| Bridges | Fiske | Newman | Tully |
| Brodsky | Gorsline | O'Brien | Tuttle, R. M. |
| Bullock | Gray | Peck | Van Valkenburgh |
| Carpenter, I. S. | Griggs | Phillips | Walsh |
| Cass | Gwinup | Potter | Warner |
| Catlin | Hayes | Potts | Waterbury |
| Chamberlain | Hoffman | Rhodes | Wells, J. L. |
| Chickering | Howland | Root | Weston |
| Clark | Hurd | Seeley | Wiley |
| Clowes | Ingersoll | Shanley | Wren |
| Comstock | Kennedy | Sherman | Youngs |
| Congdon | Lafaver | Shuit | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the proper drainage of lands in the city of New York," having been announced for a third reading,

On motion of Mr. Travis said bill was amended as follows :

Strike out all of section 6 ; change subsequent section to correspond.

Said bill, as amended, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative,

a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Congdon | Kennedy | Sheridan |
| Andrews | Crapser | Lefever | Sherman |
| Baker, B. F. | Curtis | Liddle | Shuit |
| Baker, O. S. | Davis | Lindsay | Sipp |
| Beach | Deane | Low | Sisson |
| Beates | Douglass | McCabe | Slingerland |
| Benedict, E. D. | Duell | McDonald | Steele |
| Benedict, T. E. | Duguid | Mead | Tallmadge |
| Brennan | Ellis | Miller | Terpeny |
| Bridges | Ferris | Mitchell | Terry |
| Brodsky | Fish | Morgan | Titus |
| Bullock | Gorsline | Newman | Tozier |
| Carpenter, I. S. | Gray | Nowlan | Travis |
| Case | Griggs | Peck | Tuttle, R. M. |
| Catlin | Gwinup | Phillips | Van Valkenburgh |
| Chase | Havens | Potter | Warner |
| Chickering | Hayes | Potts | Waterbury |
| Childs | Hoffman | Root | Wells, D. A. |
| Clark | Howland | Russell | Weston |
| Clowes | Hurd | Sanders | Wren |
| Comstock | Ingersoll | Seeley | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to establish a ferry from the farm of Henry G. Burleigh, of the county of Essex, across Lake Champlain," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|----------|-----------------|
| Alvord | Crapser | Kennedy | Sheridan |
| Andrews | Cullinan | Lefever | Sherman |
| Baker, B. F. | Curtis | Liddle | Shuit |
| Baker, C. S. | Davis | Lindsay | Sipp |
| Beach | Deane | Low | Sisson |
| Beates | Douglass | McCabe | Skinner |
| Benedict, E. D. | Duell | McDonald | Steele |
| Benedict, T. E. | Evans | Mead | Tallmadge |
| Brennan | Ferris | Miller | Terpeny |
| Brodsky | Fish | Mitchell | Titus |
| Bullock | Gorsline | Moore | Tozier |
| Carpenter, E. A. | Gray | Newman | Tuthill, H. H. |
| Carpenter, I. S. | Griggs | Nowlan | Tuttle, R. M. |
| Case | Gwinup | Peck | Van Valkenburgh |
| Catlin | Havens | Phillips | Warner |
| Chase | Hayes | Potter | Waterbury |
| Chickering | Hoffman | Potts | Wells, D. A. |
| Clark | Howland | Root | Wells, J. L. |

Clowes
Comstock
Congdon

Hurd
Ingersoll

Russell
Seeley

Weston
Wiley

Those who voted in the negative, were

Travis

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to alter the boundary line between the towns of Durham and Windham in the county of Greene," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Cookinham | Kennedy | Sipp |
| Andrews | Cullinan | Lefever | Skinner |
| Baker, B. F. | Curtis | Liddle | Slingerland |
| Baker, O. S. | Davis | Lindsay | Steele |
| Beach | Deane | Low | Strait |
| Beates | Douglass | McDonald | Tallmadge |
| Benedict, E. D. | Duell | Mead | Terpeny |
| Benedict, T. E. | Evans | Miller | Terry |
| Brennan | Ferris | Mitchell | Titus |
| Brodsky | Fish | Moors | Tozier |
| Bullock | Gorsline | Nowlan | Travis |
| Carpenter, E. A. | Gray | Peck | Tully |
| Case | Griggs | Phillips | Tuthill, H. H. |
| Catlin | Grosse | Potter | Tuttle, R. M. |
| Chamberlain | Gwinup | Potts | Van Valkenburgh |
| Chase | Havens | Root | Warner |
| Childs | Hayes | Sanders | Waterbury |
| Clark | Hoffman | Shanley | Wells, J. L. |
| Clowes | Howland | Sherman | Weston |
| Comstock | Hurd | Shuit | Wiley |
| Congdon | Ingersoll | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The concurrent resolution proposing amendments to section 6 of article 10, and sections 2, 5 and 6 of article 3 of the Constitution, providing for biennial sessions of the Legislature, having been announced for a third reading,

Mr. Bradley moved to recommit the same to the committee on the judiciary, with instructions to amend the same as follows:

Page 2, line 4, after the words "chosen for" strike out the word "four" and insert the word "two."

Page 3, line 38, after the words "salary of" strike out the words "seven hundred and fifty" and insert the words "fifteen hundred."

Strike out all of line 41, except the word "route;" all of line 42, and all of line 43, except the words "when the Senate is."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said resolution was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said concurrent resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 79 }
{ NOES 28 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|----------------|
| Alvord | Congdon | Hoffman | Root |
| Andrews | Cookinham | Howland | Russell |
| Baker, B. F. | Craper | Hurd | Sanders |
| Baker, C. S. | Cullinan | Husted | Seeley |
| Beach | Curtis | Ingersoll | Sherman |
| Benedict, E. D. | Davis | Kennedy | Shuit |
| Benedict, T. E. | Deane | Lefever | Sipp |
| Brennan | Douglass | Low | Sisson |
| Bridges | Duell | McCabe | Skinner |
| Brodsky | Duguid | Mead | Steele |
| Bullock | Ellis | Miller | Strait |
| Carpenter, I. S. | Evans | Mitchell | Terry |
| Case | Ferris | Nowlan | Tozier |
| Chamberlain | Fish | O'Brien | Treanor |
| Chase | Fiske | Parker | Tuthill, H. H. |
| Chickering | Gorsline | Peck | Tuttle, R. M. |
| Childs | Gray | Phillips | Waterbury |
| Clark | Grosse | Potter | Weston |
| Cohen | Gwinup | Potts | Youngs |
| Cornstock | Hagan | Rhodes | |

Those who voted in the negative, were

| | | | |
|------------------|----------|-----------|-----------------|
| Beates | Griggs | O'Connor | Tully |
| Bradley | Havens | Shanley | Van Valkenburgh |
| Carpenter, E. A. | Hayes | Tallmadge | Walsh |
| Olowes | Liddle | Terpeny | Warner |
| Costello | Lindsay | Thilemann | Wells, J. L. |
| Cushing | McDonald | Titus | Wiley |
| Fitzgerald | Moors | Travis | Mr. Speaker |

Ordered, That the Clerk deliver said concurrent resolution to the Senate, and request their concurrence therein.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to alter the boundary line between the towns of Durham and Windham, in the county of Greene."

"An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction, and the acts amendatory thereof and supplemental thereto.'"

"An act to release the interest of the People of this State in certain real estate of which Paul Pontau, late of the city of Brooklyn, county of Kings, died seized, to Nannette Johnson."

"An act to amend section 2 of chapter 405 of the Laws of 1879, entitled 'An act to amend sections 2 and 10 of chapter 248 of the Laws of 1878.'"

"An act relating to certain streets and avenues in Astoria, Long Island City."

"An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages, also, chapter 870 of the Laws of 1871, entitled 'An act to amend an act for the incorporation of villages.'"

"An act to establish a police pension fund for disabled and retired

members and the widows and children of deceased members of the police department of the city of New York."

"An act to authorize the incorporation of The Red House Driving Park Agricultural Society among the Indians of the Allegany and Cattaraugus reservations."

"An act to validate the certificate of incorporation, and to legalize the acts of the Walton Water Company."

"An act to provide for the proper drainage of lands in the city of New York."

"An act to establish a ferry from the farm of Henry G. Burleigh, of the county of Essex, across Lake Champlain."

"An act to repeal chapter 306 of the Laws of 1866, entitled 'An act for the protection of the planting of oysters in the towns of Islip and Huntington, county of Suffolk, New York, and chapter 666 of the Laws of 1872, amendatory of said act, so far as said acts may be applicable to the present town of Huntington, in said county.'"

"Senate bill entitled 'An act prohibiting the sale or giving of spirituous liquor or wine to inmates of the New York State Soldiers and Sailors' Home,' was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 70 }
{ NOES 25 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|----------------|
| Alvord | Clowes | Hayes | Potts |
| Andrews | Comstock | Howland | Rhodes |
| Baker, B. F. | Congdon | Husted | Root |
| Baker, C. S. | Cookinham | Ingersoll | Russell |
| Beach | Crapser | Kennedy | Sanders |
| Beates | Cullinan | Lefever | Seeley |
| Benedict, E. D. | Curtis | Liddle | Sherman |
| Benedict, T. E. | Davis | Low | Sisson |
| Brennan | Deane | McCabe | Skinner |
| Bridges | Douglass | Mead | Steele |
| Bullock | Duell | Miller | Tallmadge |
| Carpenter, E. A. | Ellis | Mitchell | Titus |
| Carpenter, I. S. | Evans | Mooers | Tozier |
| Case | Ferris | Nowlan | Tuthill, H. H. |
| Chamberlain | Fish | O'Brien | Tuttle, R. M. |
| Chase | Fiske | Phillips | Wells, D. A. |
| Chickering | Gorsline | Potter | Weston |
| Childs | Gray | | |

Those who voted in the negative, were

| | | | |
|------------|----------|----------|-----------|
| Bradley | Grosse | O'Connor | Terpeny |
| Brodsky | Gwinup | Parker | Thilemann |
| Catlin | Hagan | Peck | Treanor |
| Clark | Hoffman | Shanley | Tully |
| Cohen | Lindsay | Sipp | Walsh |
| Cushing | McDonald | Strait | Waterbury |
| Fitzgerald | | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to establish a State Board of Health," being announced for a third reading,

Mr. Travis moved to recommit said bill to the committee on public health, with instructions to amend said bill in words following, and report forthwith:

Add at the end of section 7: "And the State Board of Health shall also prepare the necessary methods and forms, and prescribe the rules regulating the issue and use of transfer permits, with the proper coupons attached thereto, for the transportation of the dead bodies of persons which are to be carried for burial beyond the limit of the counties where the death occurs, shall be valid; and in all cases the said State Board of Health shall require coupons to be attached to such permits, to be detached and preserved or returned by every common carrier, or the person in charge of any vessel, railroad train or vehicle to whom any such dead bodies shall be delivered for transportation. Any violation of such rules and regulations shall be a misdemeanor.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Bullock, from the committee on public health, reported said bill back to the House, amended as instructed.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 54 }
{ NOES 38 }

Those who voted in the affirmative, were

| | | | |
|--------------|-----------|----------|---------------|
| Andrews | Deane | Liddle | Sherman |
| Baker, B. F. | Douglass | Low | Sipp |
| Baker, C. S. | Duell | McCabe | Sisson |
| Bradley | Evans | Miller | Skinner |
| Brodsky | Fiske | Mitchell | Steele |
| Bullock | Gray | Nowlan | Terpeny |
| Catlin | Grosse | O'Brien | Titus |
| Chamberlain | Havens | Phillips | Tozier |
| Clark | Hayes | Potter | Travis |
| Clowes | Howland | Root | Tuttle, R. M. |
| Comstock | Husted | Russell | Wells, D. A. |
| Cookinham | Ingersoll | Sanders | Wells, J. L. |
| Cullinan | Kennedy | Seeley | Youngs |
| Davis | Lefever | | |

Those who voted in the negative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Cohen | Hagan | Shuit |
| Beach | Crapser | Hoffman | Slingerland |
| Benedict, E. D. | Curtis | McDonald | Strait |
| Benedict, T. E. | Cushing | Newman | Thilemann |
| Brennan | Duguid | O'Connor | Treanor |
| Bridges | Ellis | Parker | Tuthill, H. H. |
| Carpenter, E. A. | Ferris | Peck | Walsh |
| Chickering | Fitzgerald | Rhodes | Waterbury |
| Childs | Gorsline | Shanley | Wiley |
| Claney | Gwinup | | |

Mr. Youngs moved to reconsider the vote by which said bill was lost, and that said motion lay upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The hour of six having arrived, the House adjourned.

WEDNESDAY MORNING, MAY 5, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Battershall.

The journal of yesterday was read and approved.

Mr. Speaker directed the Clerk to call the roll of members and ascertain if a quorum was present, and the following members answered to their names:

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Cushing | Lefever | Seeley |
| Baker, C. S. | Davis | Lindsay | Sherman |
| Beates | Deane | Low | Shuit |
| Benedict, T. E. | Douglass | McAvoy | Skinner |
| Bennett | Duell | McCabe | Steele |
| Bradley | Ellis | McDonald | Terpeny |
| Brennan | Evans | Mead | Terry |
| Bridges | Ferris | Miller | Thilemann |
| Brodsky | Fish | Mooers | Titus |
| Bullock | Fiske | Newman | Tozier |
| Carpenter, E. A. | Fitzgerald | Nowlan | Travis |
| Carpenter, I. S. | Gorsline | O'Brien | Treanor |
| Case | Griggs | Parker | Tully |
| Chamberlain | Gwinup | Peck | Tuthill, H. H. |
| Chickering | Havens | Phillips | Tuttle, R. M. |
| Childs | Hoffman | Potts | Varnum |
| Congdon | Howland | Rhodes | Wells, J. L. |
| Cookinham | Hurd | Root | Weston |
| Crapser | Ingersoll | Russell | Mr. Speaker |
| Cullinan | | | |

77

A quorum being present.

A message from the Senate was received and read informing of concurrence in the resolution asking the Governor to return Assembly bill No. 116, entitled "An act to amend chapter 435 of the Laws of 1868, entitled 'An act to incorporate the village of Hamilton, in the county of Madison, and to repeal its present charter as amended by chapter 166 of the Laws of 1877,' for amendment; also, the resolution asking the Governor to return Assembly bill No. 331, general orders No. 357, entitled "An act in relation to a certain bridge over the Erie canal on Mill street, in the city of Lockport," for amendment.

Ordered, That the Clerk deliver said resolutions to the Governor.

The bill entitled "An act in regard to markets in the city of New York, and to provide for the rebuilding of the same," being announced for a third reading,

Mr. Newman moved that said bill be laid on the table, and printed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Hayes moved to reconsider the vote by which the motion of Mr. Newman was lost.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said motion was lost, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to lay said bill on the table, and ordered printed, and it was determined in the affirmative.

Senate bill entitled "An act to amend chapter 264 of the Laws of 1851, entitled 'An act to amend the act entitled 'An act to incorporate the village of Bath, in the county of Steuben,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Douglass | Lindsay | Shanley |
| Andrews | Duell | Low | Sheridan |
| Baker, C. S. | Duguid | McAvoy | Shuit |
| Beach | Ellis | McCabe | Sisson |
| Beates | Evans | McDonald | Skinner |
| Benedict, E. D. | Ferris | Mead | Slingerland |
| Bradley | Fish | Miller | Steele |
| Brennan | Fiske | Mooers | Tallmadge |
| Bridges | Gibbs | Newman | Terpeny |
| Brodsky | Gorsline | Nowlan | Titus |
| Carpenter, E. A. | Gray | O'Brien | Tozier |
| Carpenter, I. S. | Griggs | O'Connor | Travis |
| Case | Gwinup | Parker | Treanor |
| Chamberlain | Havens | Peck | Tully |
| Chase | Hayes | Phillips | Tuthill, H. H. |
| Chickering | Hoffman | Potts | Tuttle, R. M. |
| Childs | Howland | Rhodes | Waterbury |
| Gongdon | Hurd | Root | Wells, D. A. |
| Cookinham | Ingersoll | Russell | Wells, J. L. |
| Cullinan | Kennedy | Sanders | Weston |
| Davis | Lefever | Seeley | Youngs |
| Deane | Liddle | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to amend chapter 142 of the Laws of 1879, entitled "An act to amend chapter 125 of the Laws of 1842, entitled 'An act to condense and amend the several acts relating to the village of Albion, and the several acts amendatory thereof,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|----------|----------|-------------|
| Alvord | Cushing | Liddle | Sheridan |
| Andrews | Davis | Lindsay | Sherman |
| Baker, C. S. | Deane | Low | Shuit |
| Beach | Douglass | McAvoy | Sipp |
| Beates | Duell | McCabe | Sisson |
| Benedict, T. E. | Duguid | McDonald | Skinner |
| Bradley | Evans | Mead | Slingerland |

| | | | |
|------------------|-----------|----------|----------------|
| Brennan | Ferris | Miller | Steele |
| Bridges | Fish | Mitchell | Tallmadge |
| Brodsky | Fiske | Moors | Terpeny |
| Bullock | Gibbs | Newman | Terry |
| Carpenter, E. A. | Gorsline | Nowlan | Titus |
| Carpenter, I. S. | Gray | O'Brien | Tozier |
| Case | Griggs | Parker | Travis |
| Chase | Havens | Peck | Treanor |
| Chickering | Hayes | Phillips | Tuthill, H. H. |
| Childs | Hoffman | Potts | Tuttle, R. M. |
| Clowes | Howland | Rhodes | Warner |
| Congdon | Hurd | Root | Waterbury |
| Cookinham | Ingersoll | Russell | Wells, D. A. |
| Cullinan | Kennedy | Sanders | Wells, J. L. |
| Curtis | Lefever | Seeley | Weston |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to provide for the protection of mechanics and others," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Cushing | Kennedy | Seeley |
| Andrews | Davis | Lefever | Shanley |
| Baker, C. S. | Deane | Liddle | Sherman |
| Beach | Douglass | Lindsay | Shuit |
| Beates | Duell | Low | Sipp |
| Benedict, T. E. | Duguid | McAvoy | Sisson |
| Bradley | Ellis | McCabe | Skinner |
| Brennan | Evans | McDonald | Slingerland |
| Bridges | Ferris | Mead | Steele |
| Brodsky | Fish | Miller | Strait |
| Bullock | Fiske | Mitchell | Terry |
| Carpenter, E. A. | Fitzgerald | Moors | Titus |
| Carpenter, I. S. | Gibbs | Newman | Tozier |
| Catlin | Gorsline | Nowlan | Travis |
| Chase | Griggs | O'Brien | Treanor |
| Chickering | Gwinup | Parker | Tully |
| Childs | Havens | Peck | Tuttle, R. M. |
| Congdon | Hayes | Phillips | Van Valkenburgh |
| Cookinham | Hoffman | Potts | Warner |
| Crapsier | Howland | Root | Waterbury |
| Cullinan | Hurd | Russell | Wells, J. L. |
| Curtis | Ingersoll | Sanders | Weston |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 36 of the Laws of 1862, entitled 'An act to enable the electors of the town of Johnstown to vote by districts for town officers,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a

majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Curtis | Low | Shuit |
| Andrews | Davis | McAvoy | Sipp |
| Baker, C. S. | Deane | McCabe | Sisson |
| Beach | Douglass | McDonald | Skinner |
| Beates | Duell | Mead | Steele |
| Benedict, T. E. | Duguid | Miller | Tallmadge |
| Bradley | Ellis | Mitchell | Terpeny |
| Brennan | Evans | Mooers | Terry |
| Bridges | Ferris | Newman | Titus |
| Brodsky | Fish | Nowlan | Tozier |
| Bullock | Fitzgerald | O'Brien | Travis |
| Carpenter, E. A. | Gorsline | O'Connor | Treanor |
| Carpenter, I. S. | Griggs | Parker | Tully |
| Case | Gwinup | Peck | Tuthill, H. H. |
| Catlin | Hayes | Phillips | Tuttle, R. M. |
| Chamberlain | Hoffman | Potts | Van Valkenburgh |
| Chase | Howland | Rhodes | Warner |
| Childs | Hurd | Root | Waterbury |
| Congdon | Ingersoll | Sanders | Wells, D. A. |
| Cookinham | Kennedy | Seeley | Wells, J. L. |
| Costello | Lefever | Shanley | Weston |
| Crapsier | Liddle | Sheridan | Youngs |
| Cullinan | Lindsay | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 535 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction, and the acts amendatory thereof and supplemental thereto,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|----------|-----------|
| Alvord | Cushing | Kennedy | Sherman |
| Andrews | Davis | Lefever | Shuit |
| Baker, C. S. | Deane | Liddle | Sipp |
| Beach | Douglass | Lindsay | Sisson |
| Beates | Duell | Low | Skinner |
| Benedict, T. E. | Duguid | McCabe | Steele |
| Bradley | Ellis | McDonald | Strait |
| Brennan | Evans | Miller | Tallmadge |
| Bridges | Ferris | Mitchell | Terpeny |
| Brodsky | Fish | Mooers | Terry |
| Bullock | Fiske | Newman | Thilemann |
| Carpenter, E. A. | Gillette | Nowlan | Titus |
| Carpenter, I. S. | Gorsline | Parker | Tozier |
| Case | Gray | Peck | Travis |
| Catlin | Griggs | Phillips | Treanor |

| | | | |
|-------------|-----------|----------|-----------------|
| Chamberlain | Gwinup | Potts | Tuthill, H. H. |
| Chase | Hagan | Rhodes | Tuttle, R. M. |
| Childs | Havens | Root | Van Valkenburgh |
| Congdon | Hayes | Russell | Waterbury |
| Cookinham | Hoffman | Sanders | Wells, D. A. |
| Crapser | Howland | Seeley | Wells, J. L. |
| Cullinan | Hurd | Shanley | Weston |
| Curtis | Ingersoll | Sheridan | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to incorporate the State Charities Aid Association," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 91 }
{ NOES 3 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Cushing] | Liddle | Sherman |
| Andrews | Davis | Lindsay | Shuit |
| Baker, B. F. | Deane | Low | Sipp |
| Baker, C. S. | Douglass | McAvoy | Sisson |
| Beach | Duell | McCabe | Skinner |
| Beates | Duguid | McDonald | Steele |
| Benedict, E. D. | Evans | Miller | Tallmadge |
| Bradley | Ferris | Mitchell | Terpeny |
| Brennan | Fish | Moors | Terry |
| Bridges | Fiske | Newman | Thilemann |
| Brodsky | Fitzgerald | Nowlan | Titus |
| Bullock | Gillette | O'Brien | Tozier |
| Carpenter, E. A. | Gorsline | O'Connor | Tully |
| Carpenter, I. S. | Gray | Parker | Tuttle, R. M. |
| Case | Griggs | Peck | Van Valkenburgh |
| Catlin | Hayes | Phillips | Warner |
| Chase | Hoffman | Potts | Waterbury |
| Chickering | Howland | Rhodes | Wells, D. A. |
| Childs | Hurd | Root | Wells, J. L. |
| Clowes | Husted | Russell | Weston |
| Congdon | Ingersoll | Seeley | Youngs |
| Cookinham | Kennedy | Shanley | Mr. Speaker |
| Curtis | Lefever | Sheridan | |

Those who voted in the negative, were

| | | |
|---------|--------|--------|
| Crapser | Gwinup | Travis |
|---------|--------|--------|

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. C. S. Baker presented a report and accompanying documents submitted by the committee on insurance, in obedience to resolutions adopted by the Assembly, March 31 and April 6, 1880; which was laid on the table and ordered printed.

(See Doc. No. 124.)

Senate bill entitled "An act to amend section 3 of title 2 of chapter 510 of the Laws of 1869, entitled 'An act to amend an act entitled 'An act to incorporate the village of Flushing, passed April 15, 1837, and the several acts amendatory thereof, passed March 20, 1857,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Cullinan | Kennedy | Seeley |
| Andrews | Curtis | Lefever | Sheridan |
| Baker, B. F. | Cushing | Liddle | Shuit |
| Baker, C. S. | Davis | Lindsay | Sipp |
| Beach | Deane | Low | Sisson |
| Beates | Douglass | McAvoy | Skinner |
| Benedict, E. D. | Duell | McCabe | Slingerland |
| Bradley | Duguid | McDonald | Steele |
| Brennan | Ellis | Mead | Tallmadge |
| Bridges | Evans | Miller | Terpeny |
| Brodsky | Ferris | Mitchell | Terry |
| Bullock | Fish | Mooers | Titus |
| Carpenter, E. A. | Fiske | Newman | Tozier |
| Carpenter, I. S. | Fitzgerald | Nowlan | Travis |
| Case | Gillette | O'Brien | Tully |
| Catlin | Gorsline | O'Connor | Tuthill, H. H. |
| Chamberlain | Gray | Parker | Van Valkenburgh |
| Chase | Hagan | Peck | Warner |
| Chickering | Hayes | Potts | Waterbury |
| Clancy | Hoffman | Rhodes | Wells, D. A. |
| Clowes | Howland | Root | Wells, J. L. |
| Congdon | Hurd | Russell | Weston |
| Cookinham | Husted | Sanders | Youngs |
| Crapsier | Ingersoll | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend chapter 16 of part 1 of the Revised Statutes in relation to highways and bridges," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }
{ NOES 4 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|-------------|
| Alvord | Cookinham | Ingersoll | Shuit |
| Andrews | Crapsier | Kennedy | Sipp |
| Baker, B. F. | Cullinan | Lefever | Sisson |
| Baker, C. S. | Curtis | Liddle | Skinner |
| Beach | Cushing | Lindsay | Slingerland |
| Beates | Davis | Low | Steele |
| Benedict, E. D. | Deane | McAvoy | Strait |
| Brennan | Douglass | McCabe | Tallmadge |
| Bridges | Duell | McDonald | Terpeny |
| Brodsky | Duguid | Miller | Titus |
| Bullock | Ellis | Mitchell | Tozier |
| Carpenter, E. A. | Evans | Newman | Travis |

| | | | |
|------------------|------------|----------|------------------|
| Carpenter, I. S. | Fish | Nowlan | Treanor |
| Case | Fiske | O'Brien | Tuttle, R. M. |
| Catlin | Fitzgerald | Phillips | Van Valkenburgh. |
| Chamberlain | Gillette | Russell | Warner |
| Chase | Hayes | Sanders | Waterbury |
| Chickering | Hoffman | Seeley | Wells, D. A. |
| Childs | Howland | Shanley | Wells, J. L. |
| Clowes | Hurd | Sheridan | Weston |
| Comstock | Husted | Sherman | Youngs |
| Congdon | | | |

Those who voted in the negative, were

| | | | |
|--------|--------|--------|-------|
| Griggs | Mooers | Parker | Potts |
|--------|--------|--------|-------|

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to regulate the use of intoxicating liquors in poor-houses, juvenile reformatories, protectories, houses of refuge, jails, penitentiaries and prisons," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|-----------|------------------|
| Alvord | Crapser | Howland | Russell |
| Andrews | Cullinan | Hurd | Seeley |
| Baker, B. F. | Curtis | Husted | Sherman |
| Baker, O. S. | Cushing | Ingersoll | Shuit |
| Beach | Davis | Kennedy | Sipp |
| Beates | Deane | Lefever | Sisson |
| Benedict, T. E. | Douglass | Liddle | Skinner |
| Bennett | Duell | Lindsay | Steele |
| Bradley | Duguid | Low | Strait |
| Brennan | Ellis | McCabe | Tallmadge |
| Bridges | Evans | McDonald | Terpeny |
| Brodsky | Ferris | Mead | Titus |
| Bullock | Fish | Miller | Tozier |
| Carpenter, E. A. | Fiske | Mitchell | Travis |
| Carpenter, I. S. | Gillette | Mooers | Tuthill, H. H. |
| Case | Gorsline | Newman | Tuttle, R. M. |
| Catlin | Gray | Nowlan | Van Valkenburgh. |
| Chamberlain | Griggs | Parker | Warner |
| Chase | Gwinup | Peck | Waterbury |
| Chickering | Hagan | Phillips | Wells, D. A. |
| Clowes | Havens | Potts | Wells, J. L. |
| Comstock | Hayes | Rhodes | Weston |
| Congdon | Hoffman | Root | Youngs |
| Cookinham | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to legalize the official acts of Elihu W. Clarke, a justice of the peace of the town of Milford, in the county of Otsego," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Cullinan | Kennedy | Sherman |
| Andrews | Curtis | Lefever | Shuit |
| Baker, B. F. | Davis | Liddle | Sipp |
| Baker, C. S. | Deane | Lindsay | Sisson |
| Beach | Douglass | Low | Skinner |
| Beates | Duell | McCabe | Slingerland |
| Benedict, E. D. | Duguid | McDonald | Steele |
| Bradley | Evans | Mead | Tallmadge |
| Brennan | Ferris | Miller | Terpeny |
| Bridges | Fish | Mitchell | Terry |
| Brodsky | Gillette | Mooers | Titus |
| Bullock | Gorsline | Newman | Tozier |
| Carpenter, E. A. | Gray | Nowlan | Travis |
| Carpenter, I. S. | Griggs | Parker | Tuthill, H. H. |
| Case | Hagan | Peck | Tuttle, R. M. |
| Oatlin | Havens | Phillips | Van Valkenburgh |
| Chase | Hayes | Potts | Warner |
| Childs | Hoffman | Rhodes | Waterbury |
| Clowes | Howland | Root | Wells, D. A. |
| Comstock | Hurd | Russell | Wells, J. L. |
| Congdon | Husted | Sanders | Weston |
| Cookinham | Ingersoll | Seeley | Youngs |
| Crapser | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize and facilitate the construction and improvement of sidewalks in the streets of unincorporated villages, and the application of highway labor thereto," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|----------|-----------------|
| Alvord | Cullinan | Kennedy | Shuit |
| Andrews | Curtis | Lefever | Sipp |
| Baker, B. F. | Davis | Liddle | Sisson |
| Baker, C. S. | Deane | Lindsay | Skinner |
| Beach | Douglass | Low | Slingerland |
| Beates | Duell | McAvoy | Steele |
| Benedict, T. E. | Duguid | McCabe | Tallmadge |
| Bradley | Evans | Mead | Terpeny |
| Brennan | Ferris | Miller | Terry |
| Bridges | Fish | Mitchell | Titus |
| Brodsky | Gillette | Mooers | Tomier |
| Bullock | Gorsline | Newman | Travis |
| Carpenter, E. A. | Gray | Nowlan | Tully |
| Carpenter, I. S. | Griggs | O'Connor | Tuthill, H. H. |
| Oatlin | Hagan | Phillips | Tuttle, R. M. |
| Chase | Havens | Potts | Van Valkenburgh |
| Childs | Hayes | Rhodes | Warner |
| Clark | Hoffman | Root | Waterbury |

| | | | |
|-----------|-----------|---------|--------------|
| Clowes | Howland | Sanders | Wells, D. A. |
| Comstock | Hurd | Seeley | Wells, J. L. |
| Congdon | Husted | Shanley | Weston |
| Cookinham | Ingersoll | Sherman | Youngs |
| Crapser | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the relief of Wm. H. Carver," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Cullinan | Kennedy | Shuit |
| Andrews | Curtis | Lefever | Sipp |
| Baker, B. F. | Davis | Liddle | Sisson |
| Baker, C. S. | Deane | Lindsay | Skinner |
| Beach | Douglass | Low | Slingerland |
| Beates | Duell | McCabe | Steele |
| Benedict, T. E. | Duguid | McDonald | Strait |
| Brennan | Ellis | Mead | Tallmadge |
| Bridges | Ferris | Miller | Terpeny |
| Brodsky | Fish | Mitchell | Titus |
| Bullock | Fiske | Moers | Tormey |
| Carpenter, E. A. | Gillette | Newman | Tozier |
| Carpenter, I. S. | Gorsline | Nowlan | Travis |
| Case | Gray | Parker | Tully |
| Catlin | Gwinup | Peck | Tuthill, H. H. |
| Chase | Hagan | Phillips | Van Valkenburgh |
| Chickering | Havens | Potts | Warner |
| Childs | Hayes | Rhodes | Waterbury |
| Clowes | Hoffman | Root | Wells, D. A. |
| Comstock | Howland | Russell | Wells, J. L. |
| Congdon | Hurd | Sanders | Weston |
| Cookinham | Husted | Seeley | Youngs |
| Crapser | Ingersoll | Sheridan | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to release the interest of the People of this State in certain real estate of which Paul Pontau, late of the city of Brooklyn, county of Kings, died seized, to Nannette Johnson," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|--------------|---------|---------|---------|
| Alvord | Curtis | Kennedy | Sherman |
| Andrews | Cushing | Lefever | Sipp |
| Baker, B. F. | Davis | Liddle | Sisson |
| Baker, C. S. | Deane | Lindsay | Skinner |

| | | | |
|------------------|-----------|----------|------------------|
| Beach | Douglass | Low | Slingerland |
| Beates | Duell | McCabe | Steele |
| Benedict, T. E. | Duguid | Mead | Tallmadge |
| Brennan | Ellis | Miller | Terpeny |
| Bridges | Ferris | Mitchell | Terry |
| Brodsky | Fish | Moers | Titus |
| Bullock | Fiske | Newman | Tozier |
| Carpenter, E. A. | Gibbs | Nowlan | Travis |
| Carpenter, I. S. | Gillette | O'Connor | Treanor |
| Case | Gorsline | Peck | Tuthill, H. H. |
| Catlin | Griggs | Phillips | Tuttle, R. M. |
| Chase | Hagan | Potts | Van Valkenburgh, |
| Chickering | Havens | Rhodes | Warner |
| Childs | Hayes | Root | Waterbury |
| Clowes | Hoffman | Russell | Wells, D. A. |
| Comstock | Howland | Sanders | Wells, J. L. |
| Congdon | Hurd | Shanley | Weston |
| Cookinham | Ingersoll | Sheridan | Youngs |
| Cullinan | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to repeal chapter 306 of the Laws of 1866, entitled "An act for the protection of the planting of oysters in the towns of Islip and Huntington, county of Suffolk, New York, and chapter 666 of the Laws of 1872, amendatory of said act so far as said acts may be applicable to the present town of Huntington in said county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Curtis | Kennedy | Sheridan |
| Andrews | Cushing | Lefever | Sherman |
| Baker, B. F. | Davis | Liddle | Shuit |
| Baker, C. S. | Deane | Lindsay | Sipp |
| Beach | Douglass | Low | Sisson |
| Beates | Duell | McCabe | Skinner |
| Benedict, E. D. | Duguid | McDonald | Steele |
| Brennan | Ellis | Mead | Tallmadge |
| Bridges | Evans | Miller | Terpeny |
| Brodsky | Ferris | Mitchell | Terry |
| Bullock | Fish | Moers | Thilemann |
| Carpenter, E. A. | Fiske | Newman | Titus |
| Carpenter, I. S. | Gillette | Nowlan | Tozier |
| Catlin | Gorsline | Parker | Travis |
| Chamberlain | Gray | Peck | Tully |
| Chase | Griggs | Phillips | Tuthill, H. H. |
| Chickering | Havens | Potts | Van Valkenburgh |
| Childs | Hayes | Rhodes | Warner |
| Clowes | Hoffman | Root | Waterbury |
| Comstock | Howland | Russell | Wells, D. A. |
| Congdon | Hurd | Sanders | Weston |
| Cookinham | Ingersoll | Seeley | Youngs |
| Crapser | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to incorporate the Maenner Gesang Verein Eichenkranz," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 82 }
{ NOES 2 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Curtis | Low | Sipp |
| Andrews | Davis | McCabe | Sisson |
| Baker, B. F. | Deane | McDonald | Skinner |
| Baker, C. S. | Douglass | Mead | Slingerland |
| Beach | Duell | Miller | Strait |
| Beates | Duguid | Mitchell | Tallmadge |
| Brennan | Ellis | Mooers | Terpeny |
| Bridges | Evans | Newman | Terry |
| Brodsky | Ferris | Nowlan | Titus |
| Bullock | Fish | O'Connor | Tozier |
| Carpenter, E. A. | Fiske | Parker | Travis |
| Carpenter, I. S. | Gorsline | Peck | Tully |
| Case | Gray | Phillips | Tuthill, H. H. |
| Catlin | Hayes | Potts | Van Valkenburgh |
| Chamberlain | Hoffman | Root | Warner |
| Chickering | Howland | Russell | Waterbury |
| Clowes | Hurd | Sanders | Wells, D. A. |
| Comstock | Ingersoll | Seeley | Wells, J. L. |
| Congdon | Kennedy | Sherman | Weston |
| Cookinham | Lefever | Shuit | Youngs |
| Cullinan | Liddle | | |

Those who voted in the negative, were

Craeper Grosce

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend chapter 441 of the Laws of 1862, entitled 'An act to consolidate certain school districts within or adjoining the corporate limits of the village of Sag Harbor, Suffolk county, and to establish a union school therein,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|--------------|----------|---------|---------|
| Alvord | Curtis | Kennedy | Seeley |
| Andrews | Davis | Lefever | Sherman |
| Baker, B. F. | Deane | Liddle | Shuit |
| Baker, C. S. | Douglass | Lindsay | Sipp |
| Beach | Duell | Low | Sisson |
| Beates | Duguid | McCabe | Skinner |

| | | | |
|------------------|-----------|----------|-----------------|
| Bradley | Ellis | McDonald | Steels |
| Brennan | Evans | Mead | Strait |
| Bridges | Ferris | Miller | Terpeny |
| Brodsky | Fish | Mitchell | Terry |
| Bullock | Fiske | Mooers | Titus |
| Carpenter, E. A. | Gillette | Newman | Tozier |
| Carpenter, I. S. | Gorsline | Nowlan | Travis |
| Case | Gray | O'Brien | Tully |
| Oatlin | Griggs | O'Connor | Van Valkenburgh |
| Chase | Gwinup | Parker | Warner |
| Chickering | Havens | Peck | Waterbury |
| Clowes | Hayes | Phillips | Wells, D. A. |
| Comstock | Hoffman | Potts | Wells, J. L. |
| Congdon | Howland | Root | Weston |
| Cookinham | Hurd | Russell | Wren |
| Cullinan | Ingersoll | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act making appropriations for the payment of certain awards made by the State Board of Audit," being announced for a third reading,

Mr. Brennan moved to recommit said bill to the committee of ways and means, with instructions to amend the same in words following, and report forthwith:

1. Strike out all after the word "follows," in the 9th line, down to and including the word "cents" in the 11th line, being all that relates to the claim of Francis Swift.

2. Strike out all after the word "cents," in the 11th line, down to and including the word "dollars" in the 12th line, being all that relates to the claim of Charles Danolds.

3. Strike out all after the word "dollars," in the 12th line, down to and including the word "dollars" in the 14th line, being all that relates to the claim of George Worthington.

Division being called for,

Mr. Speaker put the question whether the House would agree to the motion to recommit with instructions to strike out appropriation to Francis Swift, and it was determined in the affirmative.

{ AYES 58 }
{ NOES 51 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|----------|-----------------|
| Baker, B. F. | Crapser | Havens | Sipp |
| Beach | Cullinan | Hoffman | Skinner |
| Benedict, T. E. | Curtis | Howland | Slingerland |
| Bradley | Davis | Hurd | Steele |
| Brennan | Douglass | Kennedy | Strait |
| Bridges | Duell | McCabe | Travis |
| Bullock | Duguid | Miller | Tuthill, H. H. |
| Carpenter, E. A. | Ellis | Mitchell | Tuttle, R. M. |
| Case | Evans | Parker | Van Valkenburgh |
| Chamberlain | Ferris | Peck | Varnum |
| Chickering | Fish | Root | Warner |
| Childs | Gorsline | Sanders | Waterbury |
| Clancy | Gray | Seeley | Weston |
| Congdon | Grosse | Sherman | Youngs |
| Cookinham | Gwinup | | |

Those who voted in the negative, were

| | | | |
|-----------------|-----------|----------|--------------|
| Alvord | Gillette | Mooers | Tallmadge |
| Andrews | Hagan | Newman | Terpeny |
| Baker, C. S. | Hayes | Nowlan | Terry |
| Benedict, E. D. | Husted | O'Brien | Thilemann |
| Bennett | Ingersoll | O'Connor | Titus |
| Brodsky | Lefever | Phillips | Tormey |
| Chase | Liddle | Potter | Tozier |
| Clark | Lindsay | Potts | Tully |
| Comstock | Low | Rhodes | Walsh |
| Cushing | McAvoy | Shanley | Wells, J. L. |
| Dougherty | McDonald | Sheridan | Wiley |
| Fitzgerald | McTernan | Shuit | Wren |
| Gibbs | Mead | Sisson | |

Mr. Speaker put the question whether the House would agree to the motion to recommit with instructions to strike out appropriation to Charles Danolds, and it was determined in the affirmative.

{ AYES 62 }
{ NOES 46 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|----------|-----------------|
| Baker, B. F. | Costello | Hoffman | Sipp |
| Beach | Crapser | Howland | Skinner |
| Benedict, T. E. | Cullinan | Hurd | Slingerland |
| Bradley | Curtis | Kennedy | Steele |
| Brennan | Davis | Liddle | Strait |
| Bridges | Duell | Low | Tormey |
| Bullock | Duguid | McCabe | Travis |
| Carpenter, E. A. | Ellis | McDonald | Tuthill, H. H. |
| Case | Evans | Miller | Tuttle, R. M. |
| Chamberlain | Ferris | Mitchell | Van Valkenburgh |
| Chickering | Fish | Parker | Varnum |
| Childs | Gorsline | Peck | Walsh |
| Clancy | Gray | Root | Warner |
| Cohen | Grosse | Sherman | Waterbury |
| Congdon | Gwinup | Shuit | Wells, J. L. |
| Cookinham | Havens | | |

Those who voted in the negative, were

| | | | |
|------------------|------------|----------|-----------|
| Alvord | Dougherty | Mooers | Sheridan |
| Andrews | Fitzgerald | Newman | Sisson |
| Baker, C. S. | Gibbs | Nowlan | Tallmadge |
| Benedict, E. D. | Gillette | O'Brien | Terpeny |
| Bennett | Hayes | O'Connor | Terry |
| Brodsky | Husted | Phillips | Thilemann |
| Carpenter, I. S. | Ingersoll | Potter | Tozier |
| Catlin | Lefever | Potts | Tully |
| Chase | Lindsay | Rhodes | Weston |
| Clark | McAvoy | Seeley | Wiley |
| Comstock | McTernan | Shanley | Wren |
| Cushing | Mead | | |

Mr. Husted moved that said bill, with amendments, do lay upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the motion to strike out the claim of George Worthington, and it was determined in the affirmative.

Mr. Husted, from the committee on ways and means, reported said bill back to the House, amended as instructed.

Mr. Brennan moved to recommit said bill to the committee on ways and means, with instructions to amend said bills in words following, and report forthwith:

Strike out the words "of one hundred and fifty thousand five hundred and eighty-six dollars and ninety cents," and insert in lieu thereof "fifteen thousand four hundred and forty-nine dollars and twenty-eight cents."

Mr. Speaker put the question whether the House would agree to the motion to recommit, and it was determined in the affirmative.

Mr. Husted, from the committee on ways and means, reported said bill back to the House, amended as instructed.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }
{ NOES 17 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Cookinham | Lindsay | Sipp |
| Andrews | Cullinan | Low | Skinner |
| Baker, E. F. | Curtis | McCabe | Slingerland |
| Baker, C. S. | Davis | Miller | Steele |
| Beach | Deane | Mitchell | Tallmadge |
| Beates | Douglass | Mooers | Terry |
| Benedict, E. D. | Duell | Nowlan | Titus |
| Bradley | Duguid | O'Brien | Tozier |
| Brennan | Ellis | Parker | Travis |
| Bridges | Evans | Peck | Tully |
| Brodskey | Ferris | Phillips | Tuthill, H. H. |
| Carpenter, E. A. | Gillette | Potter | Tuttle, R. M. |
| Carpenter, I. S. | Gray | Potts | Van Valkenburgh |
| Case | Hayes | Root | Varnum |
| Catlin | Howland | Russell | Wells, D. A. |
| Chamberlain | Hurd | Sanders | Wells, J. L. |
| Chase | Husted | Seeley | Weston |
| Chickering | Ingersoll | Sherman | Wiley |
| Childs | Kennedy | Shuit | Youngs |
| Congdon | Lefever | | |

Those who voted in the negative, were

| | | | |
|-----------------|----------|---------|-----------|
| Benedict, T. E. | Gorsline | Hoffman | Sheridan |
| Clancy | Grosce | McAvoy | Tormey |
| Costello | Gwinup | Newman | Warner |
| Craper | Havens | Shanley | Waterbury |
| Gibbs | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Titus, from the sub-committee of the whole, presented a report from said committee; which was laid on the table and ordered printed.

(See Doc. No. 132.)

Senate bill entitled "An act to amend chapter 290 of the Laws of 1872, entitled 'An act to authorize the Blossburg Coal Company, the successors and assigns of the Bloss Coal Mining and Railroad Com-

pany, a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, to hold real estate for the purposes of business," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|-----------|-----------------|
| Alvord | Crapser | Ingersoll | Seeley |
| Andrews | Curtis | Kennedy | Sheridan |
| Baker, C. S. | Davis | Lefever | Sherman |
| Beach | Deane | Liddle | Shuit |
| Beates | Douglass | Lindsay | Sipp |
| Benedict, E. D. | Duell | Low | Skinner |
| Benedict, T. E. | Duguid | McCabe | Slingerland |
| Bradley | Ellis | McDonald | Steele |
| Brennan | Evans | Mead | Tallmadge |
| Bridges | Ferris | Miller | Terpeny |
| Brodsky | Fish | Mitchell | Terry |
| Bullock | Fiske | Mooers | Titus |
| Carpenter, E. A. | Gillette | Newman | Tozier |
| Carpenter, I. S. | Gorsline | Nowlan | Travis |
| Catlin | Griggs | O'Brien | Tuthill, H. H. |
| Chamberlain | Gwinup | Parker | Tuttle, R. M. |
| Chase | Havens | Phillips | Van Valkenburgh |
| Chickering | Hayes | Potter | Warner |
| Clark | Hoffman | Potts | Waterbury |
| Comstock | Howland | Root | Wells, J. L. |
| Congdon | Hurd | Russell | Weston |
| Cookinham | Husted | Sanders | Youngs |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to regulate the dimensions and measurement of apple barrels," being announced for a third reading,

Mr. Gray moved to recommit said bill to the committee on internal affairs, with instructions to amend the same in words following, and report forthwith :

Section 1, line 2, strike out after the word "twenty" "eight and one-half," and insert in lieu thereof "nine;" line 3, after the word "inches" insert "one eighth;" line 4, after the word "sixty" insert "two;" same line, after the word "circumference" insert "and the quarler bulge not less than fifty-nine inches."

Mr. Sherman moved to amend the amendment by striking out the word "nine" and insert "seven."

Mr. Speaker put the question whether the House would agree to the amendment of Mr. Sherman, and it was determined in the negative.

Mr. Alvord moved to further instruct the committee to strike out all after the enacting clause, and insert: "Hereafter all apples shall be sold by the pound, when no agreement for a different method shall be agreed upon between the seller and buyer."

Mr. Skinner moved the previous question.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Gray to recommit said bill for amendment, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Alvord, and it was determined in the affirmative.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 22 }
{ NOES 70 }

Those who voted in the affirmative, were

| | | | |
|-----------------|------------------|---------|---------------|
| Alvord | Bridges | Grosse | Root |
| Beach | Carpenter, I. S. | Gwinup | Sherman |
| Beates | Carlin | Hoffman | Sisson |
| Benedict, E. D. | Clancy | Kennedy | Tuttle, R. M. |
| Bradley | Costello | Lefever | Weston |
| Brennan | Duguid | | |

Those who voted in the negative, were

| | | | |
|------------------|------------|----------|-----------------|
| Andrews | Douglass | McDonald | Skinner |
| Baker, C. S. | Ellis | McTernan | Slingerland |
| Bennett | Evans | Mead | Tallmadge |
| Bullock | Ferris | Miller | Terpeny |
| Carpenter, E. A. | Fish | Mitchell | Thilemann |
| Childs | Fiske | Newman | Tormey |
| Clowes | Fitzgerald | Nowlan | Travis |
| Cohen | Gibbs | O'Connor | Tuthill, H. H. |
| Comstock | Gillette | Parker | Van Valkenburgh |
| Congdon | Gorsline | Peck | Varnum |
| Cookinham | Gray | Phillips | Walsh |
| Crapser | Hagan | Rhodes | Warner |
| Cullinan | Hayes | Russell | Waterbury |
| Curtis | Hurd | Sanders | Wells, J. L. |
| Cushing | Lindsay | Shanley | Wiley |
| Davis | Low | Sheridan | Wren |
| Deane | McAvoy | Shuit | Youngs |
| Dougherty | McCabe | | |

Mr. Rhodes moved to reconsider the vote by which said bill was lost.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 61 }
{ NOES 43 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|----------|-----------------|
| Alvord | Childs | Hayes | Tallmadge |
| Andrews | Clancy | Hoffman | Terpeny |
| Baker, B. F. | Clowes | McDonald | Thilemann |
| Baker, C. S. | Cohen | McTernan | Tormey |
| Beates | Cookinham | Mead | Treanor |
| Benedict, E. D. | Costello | Miller | Tully |
| Benedict, T. E. | Deane | Mitchell | Tuthill, H. H. |
| Bennett | Douglass | Newman | Van Valkenburgh |

| | | | |
|------------------|------------|----------|--------------|
| Brennan | Duell | O'Connor | Varnum |
| Brodsky | Ellis | Peck | Walsh |
| Carpenter, E. A. | Fitzgerald | Rhodes | Wells, D. A. |
| Carpenter, I. S. | Gibbs | Russell | Weston |
| Catlin | Gray | Sanders | Wiley |
| Chamberlain | Grosse | Shanley | Wren |
| Chase | Hagan | Skinner | Youngs |
| Chickering | | | |

Those who voted in the negative, were

| | | | |
|-----------|-----------|----------|---------------|
| Beach | Evans | Liddle | Sherman |
| Bridges | Ferris | Low | Shuit |
| Bullock | Fish | McAvoy | Sisson |
| Case | Gillette | McCabe | Slingerland |
| Clark | Griggs | McCarthy | Titus |
| Congdon | Gwinup | Moors | Tozier |
| Crapsier | Havens | Phillips | Travis |
| Curtis | Howland | Potter | Tuttle, R. M. |
| Cushing | Ingersoll | Potts | Warner |
| Dougherty | Kennedy | Root | Waterbury |
| Duguid | Lefever | Sheridan | |

Mr. Speaker presented the Report of the Commissioners to Revise the Special and Local Laws Affecting Public Interests in the City of New York; which was laid on the table and ordered printed.

(See Doc. No. .)

By unanimous consent,

Mr. Varnum offered for the consideration of the House a resolution in the words following:

Resolved, That there be printed and bound, in law binding, under the direction of the commission which prepared the same, 300 copies of the compilation of local and special laws relating to the city of New York, the same to be distributed by the commissioners to the heads of departments, judges of the courts, and others in said city.

Ordered, That said resolution be referred to the committee on public printing.

By unanimous consent,

Mr. Warner, from the committee on trade and manufactures, to which was referred the bill introduced by Mr. Strait (introductory No. 864), entitled "An act in relation to the use of coals in manufacturing," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Warner, from the committee on trade and manufactures, to which was referred the bill introduced by Mr. E. D. Benedict (introductory No. 1115), entitled "An act for the better protection of manufacturing interests," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. C. S. Baker offered for the consideration of the House a resolution in the words following:

Resolved (if the Senate concur), That there be printed for each member of this Legislature ten copies of the new Civil List, and also one copy for each officer and reporter of the Senate and Assembly.

Ordered, That said resolution be referred to the committee on public printing.

By unanimous consent,

Mr. Chickering offered for the consideration of the House a resolution in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of bill No. 781, general orders No. 964, entitled "An act for the preservation of lobsters," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate sent for concurrence Senate bill entitled "An act in relation to the overseers of the poor of the town of Flushing, Queens county."

Mr. Youngs moved to substitute said bill for Assembly bill No. 567, now on order of third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate sent for concurrence the bill entitled "An act establishing the compensation of the county clerks in the counties of Richmond and Franklin, in lieu of charges for all services rendered said counties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Brennan moved that said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

The Senate sent for concurrence the bills entitled as follows:

"An act to authorize the board of education of the city of New York to exchange lands used for school purposes in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

"An act to facilitate the distribution and division of the estate of George Bright, deceased," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend article 1 of title 4 of chapter 6 of part 1 of the Revised Statutes, entitled 'of the formation of the board of inspectors and the appointment of clerks,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

"An act to amend chapter 717 of the Laws of 1870, entitled 'An act to authorize the sale of real estate in which any widow is or shall be entitled to dower in satisfaction and discharge thereof,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act for the relief of the Buffalo Surgical Infirmary," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

"An act in relation to drains, ditches and water channels constructed before the year 1872, for draining swamps, marshes and other low lands," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to repeal chapter 306 of the Laws of 1866, entitled 'An act for the protection of the planting of oysters in the towns of Islip.

and Huntington, county of Suffolk, New York, and chapter 666 of the Laws of 1872, amendatory of said act, so far as said acts may be applicable to the present town of Huntington, in said county," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. E. A. Carpenter, and by unanimous consent, said bill was ordered to a third reading.

Mr. E. A. Carpenter moved to reconsider the vote by which Assembly bill of the same title was passed this morning, and that the motion do lay upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

"An act to amend chapter 157 of the Laws of 1844, entitled 'An act to incorporate the village of Mohawk,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act to prevent any corporation, society, company or association from assuming the same or similar name or title of a corporation already in existence," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend title 1, chapter 17, part 1 of the Revised Statutes, entitled 'of sales by auctioneers,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act further to amend chapter 131 of the Laws of 1855, entitled 'An act to incorporate the trustees of the church erection fund of the General Assembly of the Presbyterian Church in the United States of America,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Duell, and by unanimous consent, said bill was ordered to a third reading.

"An act to change the name of the First Castile Society of Castile, Wyoming county, and State of New York," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Tozier, and by unanimous consent, said bill was ordered to a third reading.

"An act to amend chapter 217 of the Laws of 1865, entitled 'An act to establish the office of receiver of taxes and assessments in the town of East Chester, in the county of Westchester, New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of legislation and administration, and to regulate the compensation of supervisors,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Youngs, said bill was referred to the sub-committee of the whole.

"An act to amend section 1 of chapter 435 of the Laws of 1876, entitled 'An act to amend chapter 210 of the Laws of 1847, entitled 'An act to provide for the incorporation of companies and to construct plank roads, and of companies to construct turnpike roads, passed May 7, 1847,'" which was read the first time, and by unanimous con-

sent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend chapter 502 of the Laws of 1853, entitled 'An act to authorize stockholders of railroad and plank road companies to make payments upon mortgages in process of foreclosure against such companies, and thereupon to become interested in said mortgages,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act for the protection of sureties on the bonds of contractors with municipal corporations," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Treanor, said bill was substituted for Assembly bill No. 720, and referred to the sub-committee of the whole.

"An act to confirm the title of Frederick J. Buchenberger to certain real estate in the city of Brooklyn, purchased by him from the Centenary Universalist Sunday School Society of Brooklyn," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Russell, and by unanimous consent, said bill was ordered to a third reading.

"An act to make effectual judicial decrees against unknown owners," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to incorporate The Rochester Electro-Medical Institute," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. C. S. Baker, and by unanimous consent, said bill was referred to the sub-committee of the whole.

"An act to establish a high school in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

"An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to amend chapter 371 of the Laws of 1875, entitled 'An act to conform the charter of all savings banks, or institutions for savings, to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision and for the administration of their affairs,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Alvord, and by unanimous consent, said bill was ordered to a third reading.

"An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the following bills:

"An act to repeal chapter 264 of the Laws of 1879, entitled 'An act to amend chapter 467 of the Laws of 1865, entitled 'An act to amend

an act entitled 'An act to revise and consolidate the general acts relating to public instruction.'"

"An act to restrict appeals to the Court of Appeals in certain cases."

"An act authorizing the board of trustees of school district No. 3, of the town of New Lots, in the county of Kings, to issue bonds to the amount of \$10,000 to refund or pay a like amount of bonds issued by said board of trustees for the erection of a school-house in pursuance of chapter 191 of the Laws of 1870."

"An act for the relief of Babette Stemmler."

"An act to confirm the election of village trustees in certain cases, and to provide for and determine, by lot, their respective terms of office."

"An act to amend section 82, article 3, title 4, chapter 2, part 4 of the Revised Statutes, relative to removing indictments to the Supreme Court from courts of oyer and terminer."

"An act to exempt the counties of Saratoga and Fulton from the provisions of chapter 733 of the Laws of 1872, entitled 'An act making appropriations for certain expenses of government, and for supplying deficiencies in former appropriations, so far as it authorizes the employment of assistant counsel to the district attorney of any county.'"

"An act to amend chapter 150 of the Laws of 1872, entitled 'An act to incorporate the city of Kingston.'"

"An act to amend section 27, article 2, title 2, chapter 1, part 4 of the Revised Statutes of the State of New York."

"An act to incorporate the Robert Emmet Philo-Celtic Literary Society in the city of New York."

"An act to incorporate the Bachelor Club of the city of New York."

"An act to secure the payment of mechanics, laborers and workmen, who perform work, also persons furnishing materials toward the erection, altering, or repairing buildings, wharves, vaults or any other structure in the cities of the State of New York."

"An act to provide for the better protection of discharged or pardoned convicts, and to prevent breaches of public peace, and to punish violations thereof."

"An act to authorize and direct the county clerk of Richmond county to record certain papers now on file in the Richmond county clerk's office."

The hour of two having arrived, the House took a recess until four P. M.

FOUR O'CLOCK, P. M.

The House again met.

Mr. Speaker directed the Clerk to call the roll of members and ascertain if a quorum was present, and the following members answered to their names:

| | | | |
|-----------------|----------|----------|---------|
| Alvord | Crapsier | Liddle | Sipp |
| Andrews | Cullinan | Lindsay | Skinner |
| Beates | Curtis | Low | Steele |
| Benedict, E. D. | Davis | McCabe | Strait |
| Benedict, T. E. | Deane | McTernan | Terpeny |
| Bradley | Duell | Mead | Titus |

| | | | |
|------------------|-----------|----------|----------------|
| Brennan | Evans | Miller | Tormey |
| Bridges | Ferris | Mitchell | Tozier |
| Brodsky | Fish | Moors | Travis |
| Bullock | Fiske | O'Brien | Treanor |
| Carpenter, E. A. | Griggs | Parker | Tuthill, H. H. |
| Carpenter, I. S. | Gwinup | Peck | Varnum |
| Case | Havens | Phillips | Walsh |
| Chickering | Hoffman | Potts | Warner |
| Childs | Howland | Russell | Waterbury |
| Clancy | Hurd | Shanley | Wells, J. L. |
| Congdon | Ingersoll | Sheridan | Youngs |
| Cookinham | Lefever | Shuit | |

71

A quorum being present.

The Senate returned Senate bill entitled "An act in relation to the port and harbor of New York, and the waters near the same," with a message that they do non-concur in the amendments of the Assembly to said bill, and have appointed a conference committee on the part of the Senate, consisting of Messrs Seebacher, Birdsall and Sessions, and request a like committee on the part of the House.

Mr. Speaker put the question whether the House would agree to the appointment of a conference committee, and it was determined in the affirmative.

Mr. Speaker appointed as such conference committee Messrs. Duguid, Kennedy, Brodsky, Mitchell and Sheridan.

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have agreed to their request for a conference committee.

The Senate returned Assembly bill entitled "An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,'" with a message that they have concurred in the passage of the same with the following amendments:

Section 1. Section 23 of chapter 534 of the Laws of 1879, entitled "An act for the preservation of moose, wild deer, birds, fish and other game," is hereby amended so as to read as follows:

§ 23. No person shall kill or catch, or attempt to kill or catch, any fish, except minnows, bullheads, eels, suckers and catfish in any of the fresh waters or canals in this State, or in the American waters of the St. Lawrence river, or in the waters of Niagara river on the American side, between the falls of said river and Lake Erie in any way or manner, or by any device whatever except that of angling with hook and line, save only in the following waters, viz.: the Hudson river below the dam at Troy; Black lake in the county of St. Lawrence; St. Regis river, Grass river and Racket river, below the line of the Ogdensburg and Lake Champlain railroad; and in Lake Ontario except Great Sodus bay, Port bay, East bay in the county of Wayne, Henderson harbor or Henderson bay in the county of Jefferson, and also except in Lake Otsego, and also except in Lake Champlain, during the month of October and the first fifteen days in November, and also except in the waters of the Wallkill river within the county of Ulster, where-in it shall be lawful for any person or persons of one and the same family or household to possess and fish for suckers and eels in the waters of said river during the months of March and April, and October and November, with a single fyke the meshes of which shall not be less than one inch. And also except all that part of the waters of

Lake Ontario together with its bays and inlets, lying and being in the county of Jefferson, and in that part of Oswego county lying between its Jefferson county line and the westerly line of the town of Mexico and within one-half mile of the outlet or mouth of Salmon river, saving and excepting the shoals adjacent to Henderson bay on the lake side from the main shore to and including Smoke Island, except during the months of November and December, which waters are hereby released from the operation of the provisions of sections 23 and 26 of the act hereby amended. No person shall knowingly sell or purchase, or have in his or her possession, any fish killed, caught or taken from any such waters contrary to the provisions of this section. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and in addition thereto shall be liable to a penalty of \$25 for each and every such offense. And all nets, seines, traps, weir, or other devices forbidden by this section, are hereby declared contraband, and any persons finding the same in any place where they are forbidden is hereby authorized to destroy such contraband articles, and no action for damages shall lie against him for such destruction.

§ 2. Section 24 of the said act is hereby amended to read as follows:

§ 24. Any person having in his or her possession on the shores of any lake, or on the banks of or upon any waters inhabited by salmon, salmon trout, lake trout, black, or Oswego bass, or muscalonge during the closed season, without the permission of the commissioners of fisheries, any snares, nets, stake polls, or other devices used in unlawfully taking such fish, shall be deemed guilty of a misdemeanor, and in addition thereto shall be liable to a penalty of \$25; but nothing herein contained shall apply to that portion of the Hudson river south of the dam at Troy, or to Lake Ontario, or to the waters of the Wallkill river in Ulster county.

§ 3. Section 26 of said act is hereby amended to read as follows:

§ 26. No person shall fish in any of the waters or canals of this State with seines, gill-nets or fykes, the meshes of which shall be less than two and one-half inches, except in the waters excepted in the first section of this act, and except in the following waters: In the waters over which Richmond county has civil jurisdiction, the meshes shall not be less than two inches; in the bays and salt waters, estuaries and rivers of Long Island, not less than two and one-half inches, but this prohibition shall not apply to nets used in taking "menhaden," nor to ponds where they are permitted by law; in Lake Erie and Lake Ontario, the meshes shall not be less than four and one-half inches; in the Hudson river below the dam at Troy, the meshes shall not be less than two and one-half inches, except seines, fykes or other nets used in catching bait fish; in Coney Island creek to the mouth thereof, extending out into Gravesend bay, one-half mile each way, the meshes of which shall be four inches square, except that for eel and flounder fishing, hoop-nets with suitable meshes may be used within said bay between the 15th day of October and the 1st day of April. No person shall set or take any fish by any device known as pound or trap-net, in the waters of Great South bay and the waters of Lake Erie, or bring any fish so taken in such waters to the shore along the same, or be engaged in procuring or preparing for market any such fish, or any part thereof, or exposing fish taken in such nets, for sale in the counties bordering on such waters, and during the months of June and July no fish shall be taken by pound or trap-net in the

waters of Gardener's bay or Shelter Island Sound. Nothing in this section shall be construed as permitting the drawing of seines in the waters of the Hudson river, between the upper dock at the village of Sing Sing and Croton Landing, in the town of Cortland, nor in any of the waters between the above named points, nor in any portion of the Croton river, between the 1st day of June and the 1st day of October of any year, which drawing is hereby expressly forbidden. Nor shall any thing in this section be construed to prevent the setting of fykes in the Wallkill river, in Ulster county, during the months of March and April and October and November. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and in addition thereto shall be liable to a penalty of \$50.

§ 4. Any action brought or prosecuted by any district attorney pursuant to the provisions of the act hereby amended may be discontinued by such district attorney, and neither costs nor disbursements in such

§ 5. shall be recovered by any defendant therein.
 of the No person shall take, catch, or kill any California trout in any waters of this State, in any way or by any device, between the 15th day of May and the 1st day of September. No person shall knowingly sell or purchase, or have in possession any California trout killed, taken, or caught in the waters of this State during the period aforesaid. Any persons violating the provisions of this section shall be deemed guilty of a misdemeanor, and in addition thereto shall be liable to a penalty of \$25 for each offense.

§ 6. The waters of Otsego lake are hereby exempted from the provisions of this act.

§ 7. This act shall take effect immediately.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative.

{ AYES 78 }
 { NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|----------------|
| Alvord | Childs | Hoffman | Sheridan |
| Andrews | Clancy | Howland | Sherman |
| Baker, B. F. | Congdon | Hurd | Shuit |
| Baker, C. S. | Cookinham | Ingersoll | Sipp |
| Beach | Crapsier | Lefever | Skinner |
| Beates | Cullinan | Liddle | Strait |
| Benedict, E. D. | Curtis | Lindsay | Terpeny |
| Benedict, T. E. | Davis | Low | Titus |
| Bennett | Deane | McAvoy | Tormey |
| Bradley | Dougherty | McCabe | Tozier |
| Brennan | Duell | McTernan | Travis |
| Bridges | Duguid | Miller | Tuthill, H. H. |
| Brodeky | Ellis | O'Brien | Walsh |
| Bullock | Ferris | Parker | Warner |
| Carpenter, E. A. | Fish | Peck | Waterbury |
| Carpenter, I. S. | Fiske | Phillips | Wells, J. L. |
| Case | Gorsline | Potts | Weston |
| Catlin | Griggs | Russell | Youngs |
| Chase | Gwinup | Shanley | Mr. Speaker |
| Chickering | Havens | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act to amend chap-

ter 363 of the Laws of 1878, entitled 'An act in relation to the regrading and paving of Grand street, from Union avenue to Bushwick avenue, in the city of Brooklyn, with Belgian pavement," with a message that they have concurred in the passage of the same with the following amendments:

Section 2, line 5, of engrossed bill, after the word "interest" insert "and;" same line, after the word "default" strike out "and other expenses;" line 6, after the word "them" strike out all down to and including the word "annum;" in the 8th line insert "and paid by them;" line 15, after the word "city" strike out all down to and including the words "seventy-one" in the 19th line; line 21, after the word "upon" insert "proper;" same line, after the word "proof" strike out "by affidavit" and insert "being furnished."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Crapser | Lefever | Sheridan |
| Andrews | Cullinan | Liddle | Sherman |
| Baker, B. F. | Curtis | Lindsay | Shuit |
| Beach | Davis | Low | Sipp |
| Beates | Deane | McAvoy | Skinner |
| Benedict, E. D. | Duell | McCabe | Steele |
| Benedict, T. E. | Duguid | McTernan | Strait |
| Bradley | Ellis | Miller | Terpeny |
| Brennan | Evans | Mitchell | Thilemann |
| Bridges | Ferris | Moors | Titus |
| Brodsky | Fish | Newman | Tozier |
| Bullock | Fiske | Nowlan | Travis |
| Carpenter, E. A. | Gorsline | Parker | Tully |
| Carpenter, I. S. | Gray | Peck | Tuthill, H. H. |
| Case | Griggs | Phillips | Tuttle, R. M. |
| Catlin | Gwinup | Potts | Walsh |
| Chase | Havens | Rhodes | Warner |
| Chickering | Hoffman | Russell | Waterbury |
| Childs | Howland | Sanders | Wells, J. L. |
| Congdon | Ingersoll | Seeley | Weston |
| Cookinham | Kennedy | Shanley | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act authorizing the commissioners of the several towns and cities of the counties of Cayuga, Tompkins, Cortland and Tioga to sell stock of Southern Central Railroad, with which to pay the bonded indebtedness of such towns and cities," with a message that they have concurred in the passage of the same with the following amendments:

Section 1, line 6, strike out the words "or supervisors;" same line, after the word "a" insert "of a majority of the supervisors of any."

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Cookinham | Lefever | Shanley |
| Andrews | Cullinan | Liddle | Sheridan |
| Baker, B. F. | Curtis | Lindsay | Sherman |
| Beach | Davis | Low | Shuit |
| Beates | Deane | McAvoy | Sipp |
| Benedict, E. D. | Duell | McCabe | Skinner |
| Benedict, T. E. | Duguid | McTernan | Steele |
| Bennett | Ellis | Miller | Strait |
| Bradley | Evans | Mitchell | Tallmadge |
| Brennan | Ferris | Mooers | Terpeny |
| Bridges | Fish | Nowlan | Titus |
| Brodsky | Flake | O'Brien | Tozier |
| Bullock | Gray | Parker | Travis |
| Carpenter, E. A. | Griggs | Peck | Tuthill, H. H. |
| Carpenter, I. S. | Gwinup | Phillips | Tuttle, R. M. |
| Case | Hagan | Potts | Varnum |
| Catlin | Havens | Rhodes | Walsh |
| Chamberlain | Hoffman | Root | Warner |
| Chase | Howland | Russell | Waterbury |
| Chickering | Ingersoll | Sanders | Wells, D. A. |
| Childs | Kennedy | Seeley | Wells, J. L. |
| Congdon | | | |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act to amend section 236 of the Code of Civil Procedure," with a message that they have concurred in the same with the following amendments:

Section 1, line 12, strike out after the word "same" to the end of section, and insert the following: "And a judge thus designated may, after the expiration of the period of such designation, decide, finally determine and dispose of any action, proceeding, or motion, that may have been tried or heard before him, and each judge, during the period of such designation, possesses within the city of New York all the powers of a justice of the Supreme Court, in or out of court, to make orders in any action or special proceeding in the Supreme Court in the branch to which he is assigned."

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|----------|-----------|
| Alvord | Cookinham | Lefever | Shanley |
| Andrews | Cullinan | Liddle | Sheridan |
| Baker, B. F. | Curtis | Lindsay | Sherman |
| Baker, C. S. | Cushing | Low | Shuit |
| Beach | Davis | McAvoy | Sipp |
| Beates | Deane | McCabe | Skinner |
| Benedict, E. D. | Duell | Miller | Steele |
| Bradley | Evans | Mitchell | Strait |
| Brennan | Ferris | Mooers | Tallmadge |
| Bridges | Fish | Nowlan | Terpeny |

| | | | |
|------------------|------------|----------|----------------|
| Brodsky | Fiske | O'Brien | Titus |
| Bullock | Fitzgerald | Parker | Tozier |
| Carpenter, E. A. | Gibbs | Peck | Travis |
| Carpenter, I. S. | Griggs | Phillips | Tuthill, H. H. |
| Case | Gwinup | Potts | Tuttle, R. M. |
| Catlin | Hagan | Rhodes | Varnum |
| Chamberlain | Havens | Root | Warner |
| Chickering | Hoffman | Russell | Waterbury |
| Childs | Howland | Sanders | Wells, D. A. |
| Clancy | Ingersoll | Seeley | Wells, J. L. |
| Congdon | Kennedy | | |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act to amend chapter. 369 of the Laws of 1868, entitled 'An act to amend the act incorporating the village of Phoenix, in the county of Oswego,'" with a message that they have concurred in the same with the following amendments:

Section 1, line 1, strike out the word "act;" line 2, strike out "three" and insert "six," strike out "sixty" and insert "thirty;" line 3, after the word "eight" insert "entitled An act to amend the act incorporating the village of Phoenix, in the county of Oswego."

Amend the title by changing the word "three" to "six" and the word "sixty" to "thirty."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86
{ NOES 90 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Cookinham | Kennedy | Shanley |
| Andrews | Crapser | Lefever | Sheridan |
| Baker, B. F. | Cullinan | Liddle | Sherman |
| Beach | Curtis | Lindsay | Shuit |
| Beates | Davis | Low | Sipp |
| Benedict, E. D. | Deane | McAvoy | Sisson |
| Benedict, T. E. | Duell | McCabe | Skinner |
| Bennett | Duguid | Mead | Steele |
| Bradley | Evans | Miller | Strait |
| Brennan | Ferris | Mitchell | Terpeny |
| Bridges | Fish | Mooers | Titus |
| Brodsky | Fiske | Newman | Tormey |
| Bullock | Fitzgerald | Nowlan | Tozier |
| Carpenter, E. A. | Gibbs | O'Brien | Travis |
| Carpenter, I. S. | Gillette | Parker | Tuthill, H. H. |
| Case | Griggs | Peck | Tuttle, R. M. |
| Catlin | Gwinup | Phillips | Varnum |
| Chamberlain | Hagan | Potts | Warner |
| Chickering | Havens | Root | Waterbury |
| Childs | Hoffman | Russell | Wells, J. L. |
| Clancy | Howland | Sanders | Youngs |
| Congdon | Ingersoll | | |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act to amend chapter 181 of the Laws of 1872, entitled 'An act for the better prevention of the procurement of abortions and other like offenses, and to amend the laws relative thereto,'" with a message that they have concurred in the passage of the same with the following amendments:

Section 1, line 1, of engrossed bill, strike out the words "the act" and insert "chapter 181 of the Laws of 1872;" line 4, after the word "thereto" strike out all down to and including the words "seventy-two" in line 6.

Amend title so as to read as follows: "An act to amend chapter 181 of the Laws of 1872, entitled 'An act for the prevention of the procurement of abortions and other like offenses, and to amend the laws relative thereto.'"

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Crapser | Kennedy | Seeley |
| Andrews | Cullinan | Lefever | Shanley |
| Baker, B. F. | Curtis | Liddle | Sheridan |
| Beach | Davis | Lindsay | Shuit |
| Beates | Deane | Low | Skinner |
| Benedict, E. D. | Douglass | McCabe | Steele |
| Bradley | Duell | McTernan | Strait |
| Brennan | Duguid | Mead | Tallmadge |
| Bridges | Evans | Miller | Terpeny |
| Brodsky | Fish | Mitchell | Titus |
| Bullock | Fiske | Mooers | Tozier |
| Carpenter, E. A. | Fitzgerald | Nowlan | Travis |
| Carpenter, I. S. | Gibbs | O'Brien | Tuthill, H. H. |
| Case | Gillette | Parker | Tuttle, R. M. |
| Catlin | Gray | Peck | Varnum |
| Chamberlain | Griggs | Phillips | Warner |
| Chickering | Hagan | Potts | Waterbury |
| Childs | Hoffman | Root | Wells, D. A. |
| Clancy | Howland | Russell | Wells, J. L. |
| Congdon | Hurd | Sanders | Youngs |
| Cookinham | Husted | | |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act to declare Independence river and its tributaries in Lewis and Herkimer counties a public highway," with a message that they have concurred in the passage of the same with the following amendments:

Section 8, line 6, after the word "notice" insert "to be reserved;" line 7, after the word "deposited" insert "addressed and postage prepaid."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Crapser | Lefever | Sheridan |
| Baker, B. F. | Cullinan | Liddle | Sherman |
| Baker, C. S. | Curtis | Lindsay | Shuit |
| Beach | Davis | Low | Sipp |
| Beates | Deane | McCabe | Sisson |
| Benedict, E. D. | Douglass | McTernan | Skinner |
| Benedict, T. E. | Duell | Mead | Steele |
| Bradley | Ellis | Miller | Tallmadge |
| Brennan | Ferris | Mitchell | Terpeny |
| Bridges | Fish | Moors | Titus |
| Brodsky | Fiske | Nowlan | Tozier |
| Bullock | Gibbs | O'Brien | Travis |
| Carpenter, E. A. | Gorsline | Parker | Tully |
| Carpenter, I. S. | Gray | Peck | Tuthill, H. H. |
| Case | Griggs | Phillips | Tuttle, R. M. |
| Catlin | Groose | Potts | Van Valkenburgh |
| Chamberlain | Havens | Rhodes | Varnum |
| Chiekering | Hoffman | Root | Warner |
| Childs | Howland | Russell | Waterbury |
| Clancy | Husted | Sanders | Wells, D. A. |
| Congdon | Ingersoll | Seeley | Wells, J. L. |
| Cookinham | Kennedy | Shanley | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act to legalize the official acts of Barclay Haviland, a justice of the peace in the town of Washington, in the county of Dutchess," with a message that they have concurred in the passage of the same with the following amendments :

Section 1, line 5, of engrossed bill, strike out the words "legalized and confirmed" and insert "made as legal and valid ;" line 6, strike out the word "validity" and insert "effect ;" same line, after the word "as" insert "they would have had."

Section 2, strike out all after the word "State" in third line.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|-----------|----------|
| Alvord | Cookinham | Husted | Seeley |
| Andrews | Cullinan | Ingersoll | Shanley |
| Baker, C. S. | Curtis | Kennedy | Sheridan |
| Beach | Cushing | Lefever | Shuit |
| Beates | Davis | Liddle | Sipp |
| Benedict, E. D. | Deane | Lindsay | Skinner |
| Benedict, T. E. | Douglass | Low | Steele |
| Bradley | Duell | McAvoy | Strait |
| Brennan | Duguid | McTernan | Terpeny |
| Bridges | Evans | Mead | Titus |
| Brodsky | Ferris | Miller | Tozier |
| Bullock | Fish | Mitchell | Travis |

| | | | |
|------------------|----------|----------|-----------------|
| Carpenter, E. A. | Fiske | Mooers | Tuthill, H. H. |
| Carpenter, I. S. | Gillette | Nowlan | Tuttle, R. M. |
| Case | Gray | Parker | Van Valkenburgh |
| Catlin | Griggs | Peck | Varnum |
| Chamberlain | Grosse | Phillips | Warner |
| Chickering | Gwinup | Potts | Waterbury |
| Childs | Hoffman | Root | Wells, D. A. |
| Clancy | Howland | Russell | Weston |
| Congdon | Hurd | Sanders | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act to prevent trespassing and intrusion upon railroad cars and engines," with a message that they have concurred in the passage of the same with the following amendments:

Section 3, line 3, strike out the word "ten" and insert "five."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Cookinham | Kennedy | Sheridan |
| Andrews | Cullinan | Lefever | Sherman |
| Baker, B. F. | Curtis | Liddle | Shuit |
| Baker, O. S. | Davis | Lindsay | Sipp |
| Beach | Deane | Low | Sisson |
| Beates | Douglass | McCabe | Skinner |
| Bennett | Duell | McTernan | Steele |
| Bradley | Duguid | Mead | Tallmadge |
| Brennan | Ferris | Miller | Terpeny |
| Bridges | Fish | Mitchell | Titus |
| Brodsky | Fiske | Mooers | Tozier |
| Bullock | Fitzgerald | Nowlan | Travis |
| Carpenter, E. A. | Gibbs | O'Brien | Tuthill, H. H. |
| Carpenter, I. S. | Gillette | Parker | Tuttle, R. M. |
| Case | Gray | Peck | Van Valkenburgh |
| Catlin | Griggs | Phillips | Varnum |
| Chamberlain | Gwinup | Potter | Warner |
| Chase | Havens | Potts | Waterbury |
| Chickering | Hoffman | Root | Wells, J. L. |
| Childs | Howland | Russell | Weston |
| Clancy | Husted | Sanders | Youngs |
| Congdon | Ingersoll | Seeley | |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

By unanimous consent,

Mr. Brennan offered for the consideration of the House a privileged resolution in words following:

Resolved, That a respectful message be sent to the Senate requesting the return to this House of Assembly bill No. 618, general orders No. 711, entitled "An act to provide for the payment of a salary to the county clerks of Richmond and Franklin counties in lieu of all charges now made against the county," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate.

The Senate returned Assembly bill entitled "An act in relation to the keeping open the offices of the register, county clerk and county treasurer of the county of Westchester," with a message that they have concurred in the passage of the same with the following amendment:

Section 1, line 10, strike out the word "or" and insert "any;" line 14, after the word "year" insert "the Friday preceding Easter Sunday, commonly known as Good Friday."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|-----------------|
| Alvord | Clowes | Husted | Sanders |
| Andrews | Congdon | Ingersoll | Seeley |
| Baker, B. F. | Cookinham | Kennedy | Sheridan |
| Baker, C. S. | Cullinan | Lefever | Shuit |
| Beach | Curtis | Liddle | Sipp |
| Beates | Davis | Lindsay | Skinner |
| Benedict, T. E. | Deane | Low | Steele |
| Bradley | Douglass | McTernan | Tallmadge |
| Brennan | Duell | Mead | Terpeny |
| Bridges | Duguid | Miller | Titus |
| Brodsky | Evans | Mitchell | Tozier |
| Bullock | Fish | Mooers | Travis |
| Carpenter, E. A. | Fitzgerald | Nowlan | Tuthill, H. H. |
| Carpenter, I. S. | Gillette | O'Brien | Tuttle, R. M. |
| Case | Gray | Parker | Van Valkenburgh |
| Catlin | Griggs | Peck | Varnum |
| Chamberlain | Gwinup | Phillips | Warner |
| Chickering | Havens | Potts | Waterbury |
| Childs | Hoffman | Rhodes | Wells, J. L. |
| Clancy | Howland | Russell | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence therein.

The Senate returned Assembly bill entitled "An act to legalize the acts of George M. Warren, a justice of the peace of the town of Wheatfield, Niagara county," with a message that they have concurred in the passage of the same with the following amendments:

Section 1, line 4, after the word "made" insert "as."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|-----------|---------|
| Alvord | Clancy | Howland | Russell |
| Andrews | Clowes | Hurd | Sanders |
| Baker, B. F. | Congdon | Husted | Shanley |
| Baker, C. S. | Cookinham | Ingersoll | Sherman |
| Beach | Crapser | Kennedy | Sipp |
| Beates | Cullinan | Lefever | Sisson |
| Benedict, T. E. | Curtis | Liddle | Skinner |

| | | | |
|------------------|------------|----------|-----------------|
| Bennett | Davis | Lindsay | Steele |
| Bradley | Deane | Low | Tallmadge |
| Brennan | Douglass | McTernan | Terpeny |
| Bridges | Duell | Mead | Titus |
| Brodsky | Ferris | Miller | Tozier |
| Bullock | Fish | Mitchell | Travis |
| Carpenter, E. A. | Fiske | Mooers | Tully |
| Carpenter, I. S. | Fitzgerald | Nowlan | Tuthill, H. H. |
| Case | Gibbs | O'Brien | Van Valkenburgh |
| Catlin | Gillette | Parker | Varnum |
| Chamberlain | Gray | Peck | Warner |
| Chase | Griggs | Phillips | Waterbury |
| Chickering | Havens | Potts | Wells, D. A. |
| Childs | Hoffman | Root | Wells, J. L. |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

A message was received from the Governor in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }
ALBANY, May 5, 1880.

To the Assembly:

In accordance with a joint resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 331, entitled "An act in relation to a certain bridge of the Erie canal on Mill street in the city of Lockport."

ALONZO B. CORNELL.

Mr. Van Valkenburgh moved to lay said bill and message upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

A message was received from the Governor in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }
ALBANY, May 5, 1880.

To the Assembly:

In accordance with a joint resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 116, entitled "An act to amend chapter 435 of the Laws of 1868, entitled 'An act to incorporate the village of Hamilton, in the county of Madison, and to repeal its present charter, as amended by chapter 166 of the Laws of 1877, and by chapter 19 of the Laws of 1878.'"

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 96 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|--------------|-----------|---------|-------------|
| Alvord | Comstock | Kennedy | Shuit |
| Andrews | Congdon | Lefever | Sipp |
| Baker, B. F. | Cookinham | Liddle | Sisson |
| Baker, O. S. | Costello | Low | Skinner |
| Beach | Crapeer | McAvoy | Slingerland |

| | | | |
|------------------|-----------|----------|-----------------|
| Beates | Cullinan | McCarthy | Steele |
| Benedict, E. D. | Curtis | McDonald | Strait |
| Benedict, T. E. | Davis | Mead | Tallmadge |
| Bennett | Dougherty | Miller | Terpeny |
| Bradley | Douglass | Mitchell | Terry |
| Brennan | Duell | Mooers | Thilemann |
| Bridges | Duguid | Nowlan | Tozier |
| Brodsky | Evans | O'Brien | Travis |
| Bullock | Ferris | Parker | Treanor |
| Carpenter, E. A. | Fish | Peck | Tuthill, H. H. |
| Carpenter, I. S. | Gray | Phillips | Van Valkenburgh |
| Case | Griggs | Potter | Varnum |
| Catlin | Grosse | Potts | Walsh |
| Chamberlain | Gwinup | Rhodes | Warner |
| Chase | Hoffman | Root | Waterbury |
| Chickering | Howland | Russell | Wells, D. A. |
| Clark | Hurd | Sanders | Wells, J. L. |
| Clowes | Husted | Seeley | Wiley |
| Cohen | Ingersoll | Sherman | Youngs |

On motion of Mr. Miller, and by unanimous consent, said bill was amended as follows:

Section 9, line 20, substitute "complete" for "compute;" line 22, substitute "completing" for "computing."

Said bill, as amended, was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 98 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|-----------------|
| Alvord | Congdon | Ingersoll | Shuit |
| Andrews | Cookinham | Kennedy | Sipp |
| Baker, B. F. | Costello | Lefever | Sisson |
| Baker, C. S. | Crapser | Liddle | Skinner |
| Beach | Cullinan | Low | Slingerland |
| Beates | Curtis | McAvoy | Steele |
| Benedict, E. D. | Davis | McCarthy | Strait |
| Benedict, T. E. | Deane | McDonald | Tallmadge |
| Bennett | Douglass | Mead | Terpeny |
| Bradley | Duell | Miller | Terry |
| Brennan | Duguid | Mitchell | Thilemann |
| Bridges | Evans | Mooers | Titus |
| Brodsky | Ferris | O'Brien | Tozier |
| Bullock | Fish | Parker | Travis |
| Carpenter, E. A. | Gibbs | Peck | Treanor |
| Carpenter, I. S. | Gillette | Phillips | Van Valkenburgh |
| Case | Gorsline | Potter | Varnum |
| Catlin | Gray | Potts | Warner |
| Chamberlain | Griggs | Rhodes | Waterbury |
| Chase | Grosse | Root | Wells, D. A. |
| Chickering | Gwinup | Russell | Wells, J. L. |
| Childs | Hoffman | Sanders | Weston |
| Clowes | Howland | Sheridan | Wiley |
| Cohen | Hurd | Sherman | Youngs |
| Comstock | Husted | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

On motion of Mr. E. A. Carpenter, and by unanimous consent, Senate bill entitled "An act to repeal chapter 306 of the Laws of 1866, entitled 'An act for the protection of the planting of oysters in the towns of Islip and Huntington, county of Suffolk, New York, and chapter 666 of the Laws of 1872, amendatory of said act, so far as said acts may be applicable to the present town of Huntington, in said county,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 99 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Cullinan | Lefever | Shuit |
| Andrews | Curtis | Liddle | Sipp |
| Baker, B. F. | Davis | Lindsay | Sisson |
| Baker, C. S. | Deane | Low | Skinner |
| Beach | Dougherty | McCabe | Slingerland |
| Beates | Douglass | McCarthy | Steele |
| Benedict, T. E. | Duell | McDonald | Strait |
| Brennan | Duguid | Mead | Tallmadge |
| Bridges | Evans | Miller | Terpeny |
| Brodsky | Ferris | Mitchell | Terry |
| Bullock | Fish | Mooers | Titus |
| Carpenter, E. A. | Fiske | Nowlan | Tozier |
| Carpenter, I. S. | Fitzgerald | O'Brien | Travis |
| Case | Gibbs | Parker | Treanor |
| Catlin | Gillette | Peck | Tuthill, H. H. |
| Chamberlain | Gray | Phillips | Tuttle, R. M. |
| Chase | Griggs | Potter | Van Valkenburgh |
| Childs | Grosse | Potts | Varnum |
| Clowes | Gwinup | Rhodes | Warner |
| Cohen | Hoffman | Root | Waterbury |
| Comstock | Howland | Russell | Wells, D. A. |
| Congdon | Hurd | Sanders | Wells, J. L. |
| Cookinham | Husted | Seeley | Wiley |
| Costello | Ingersoll | Sheridan | Wren |
| Crapser | Kennedy | Sherman | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

A message from the Senate was received and read, in words following:

IN SENATE, April 29, 1880.

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to amend chapter 519 of the Laws of 1870, entitled 'An act to amend the charter of the city of Buffalo.'"

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Williams, and by unanimous consent, the same was amended as follows:

Section 2, line 1, engrossed bill, strike out the word "May" and insert "June."

Section 18, line 2, after the word "forty" insert "nine."

And as amended passed, re-engrossed and ordered sent to the Assembly for concurrence. By order.

JOHN W. VROOMAN, *Clerk.*

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 98 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|-----------------|
| Alvord | Cookinham | Husted | Sanders |
| Andrews | Costello | Ingersoll | Sheridan |
| Baker, B. F. | Crapsier | Kennedy | Sherman |
| Baker, C. S. | Cullinan | Lefever | Shuit |
| Beach | Curtis | Liddle | Sipp |
| Beates | Davis | Low | Sisson |
| Benedict, E. D. | Deane | McAvoy | Skinner |
| Benedict, T. E. | Dougherty | McCabe | Slingerland |
| Bennett | Douglass | McCarthy | Steele |
| Bradley | Duell | McDonald | Strait |
| Brennan | Duguid | Mead | Tallmadge |
| Bridges | Evans | Mitchell | Terpeny |
| Brodsky | Ferris | Mooers | Terry |
| Bullock | Fish | Nowlan | Tozier |
| Carpenter, E. A. | Fiske | O'Brien | Travis |
| Carpenter, I. S. | Fitzgerald | Parker | Treanor |
| Case | Gibbs | Peck | Tully |
| Catlin | Gillette | Phillips | Van Valkenburgh |
| Chamberlain | Gray | Pitcher | Varnum |
| Chase | Griggs | Potter | Warner |
| Clark | Grosse | Potts | Waterbury |
| Clowes | Gwinup | Rhodes | Wells, D. A. |
| Cohen | Hoffman | Root | Wells, J. L. |
| Comstock | Howland | Russell | Wiley |
| Congdon | Hurd | | |

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|-----------|
| Alvord | Cookinham | Husted | Sanders |
| Andrews | Crapsier | Ingersoll | Seeley |
| Baker, B. F. | Cullinan | Kennedy | Sheridan |
| Baker, C. S. | Curtis | Lefever | Shuit |
| Beach | Davis | Liddle | Sipp |
| Beates | Deane | Lindsay | Skinner |
| Bennett | Douglass | Low | Steele |
| Bradley | Duell | McAvoy | Tallmadge |
| Brennan | Duguid | McCabe | Terpeny |
| Bridges | Ellis | McTernan | Titus |
| Brodsky | Ferris | Mead | Tozier |
| Bullock | Fish | Miller | Travis |
| Carpenter, E. A. | Fiske | Mitchell | Treanor |
| Carpenter, I. S. | Fitzgerald | Mooers | Tully |

| | | | |
|-------------|----------|----------|-----------------|
| Catlin | Gillette | Nowlan | Tuttle, R. M. |
| Chamberlain | Gorsline | Parker | Van Valkenburgh |
| Chase | Griggs | Peck | Varnum |
| Chickering | Gwinup | Phillips | Warner |
| Childs | Hoffman | Potts | Waterbury |
| Clowes | Howland | Root | Wells, D. A. |
| Comstock | Hurd | Russell | Youngs |
| Congdon | | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act in relation to the opening of streets, avenues and public parks or places in the city of New York."

"An act to authorize the selection, location and appropriation of certain lands in the village of Niagara Falls, for a State reservation, and to preserve the scenery of the falls of Niagara."

"An act to regulate the passage of lumber, logs and other timber upon the rivers of this State, recognized by law or common use as public highways for the purpose of floating and running lumber, logs and other timber over or upon the same to market or places of manufacture."

"An act to amend chapter 13 of part 1 of the Revised Statutes."

"An act to exempt the town of Lenox, in the county of Madison, from the provisions and operation of chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties.'"

"An act to reduce the expenses of the improvement commission in Long Island City."

"An act to amend chapter 381 of the Laws of 1877, entitled 'An act to amend chapter 896 of the Laws of 1869, entitled 'An act to incorporate the Crescent Company, and to extend the time within which the company thereby created may commence operation,' and to further extend the time within which said company may commence operations.'"

"An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers.'"

The Senate sent for concurrence the bill entitled "An act to regulate the leasing of real estate by the mayor, aldermen and commonalty of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Speaker introduced a bill entitled "An act to authorize the reading in all courts and proceedings of a compilation entitled 'The Special and Local Laws affecting Public Interests in the city of New York,' and declaring the effects thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to repeal certain acts and parts of acts therein named so far as the same relate to or apply to or within the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The bill entitled "An act to establish a police pension fund for dis-

abled and retired members and the widows and children of deceased members of the police department of the city of New York," having been announced for a third reading,

Mr. Brodsky moved to recommit said bill to the committee on affairs of cities, retaining its place in order of third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill entitled "An act in relation to the opening of streets, avenues and public parks or places in the city of New York," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 01 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|------------------|
| Andrews | Cookinham | Lindsay | Sipp |
| Baker, B. F. | Cullinan | McAvoy | Skinner |
| Baker, C. S. | Davis | McCabe | Slingerland |
| Beach | Dougherty | McDonald | Steele |
| Beates | Douglass | McTernan | Strait |
| Benedict, E. D. | Duell | Mead | Tallmadge |
| Bradley | Duguid | Miller | Terpeny |
| Brennan | Ferris | Mooers | Terry |
| Bridges | Fish | Nowlan | Titus |
| Brodsky | Fiske | Peck | Tozier |
| Bullock | Fitzgerald | Phillips | Travis |
| Carpenter, E. A. | Gillette | Potts | Tuthill, H. H. |
| Case | Gray | Root | Tuttle, R. M. |
| Catlin | Griggs | Russell | Van Valkenburgh, |
| Chamberlain | Howland | Sanders | Varnum |
| Chase | Husted | Seeley | Warner |
| Chickering | Ingersoll | Shanley | Waterbury |
| Childs | Kennedy | Sheridan | Wells, D. A. |
| Clowes | Lefever | Sherman | Wells, J. L. |
| Comstock | Liddle | Shuit | Youngs |
| Congdon | | | |

Those who voted in the negative, were

Crapser

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to repeal chapter 264 of the Laws of 1879, entitled 'An act to amend chapter 467 of the Laws of 1865, entitled 'An act to amend an act entitled 'An act to revise and consolidate the general acts relating to public instruction,'" was read the third time,

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }
{ NOES 2 }

Those who voted in the affirmative, were

| | | | |
|---------|----------|--------|-------|
| Alvord | Costello | Grosse | Potts |
| Andrews | Crapser | Gwinup | Root |

| | | | |
|------------------|------------|-----------|-----------------|
| Baker, C. S. | Cullinan | Hoffman | Sheridan |
| Beach | Curtis | Hurd | Sherman |
| Beates | Cushing | Ingersoll | Shuit |
| Benedict, E. D. | Davis | Kennedy | Skinner |
| Bennett | Deane | Lefever | Slingerland |
| Bradley | Douglass | Liddle | Steele |
| Brennan | Duell | Lindsay | Tallmadge |
| Brodsky | Duguid | Low | Terpeny |
| Bullock | Ellis | McAvoy | Tozier |
| Carpenter, E. A. | Evans | McCarthy | Van Valkenburgh |
| Carpenter, I. S. | Ferris | Mooers | Varnum |
| Chamberlain | Fish | Nowlan | Warner |
| Childs | Fiske | Parker | Waterbury |
| Clowes | Fitzgerald | Peck | Wells, D. A. |
| Cohen | Gibbs | Phillips | Wells, J. L. |
| Comstock | Gray | Pitcher | Wiley |
| Congdon | Griggs | Potter | Youngs |
| Cookinham | | | |

Those who voted in the negative, were

Havens Rhodes

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 559, Laws of 1868, entitled 'An act to incorporate the Chateaugay Water Works Company,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }
{ NOES 3 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|----------------|
| Andrews | Clowes | Hoffman | Russell |
| Baker, B. F. | Comstock | Howland | Sanders |
| Baker, C. S. | Congdon | Husted | Seeley |
| Beach | Cookinham | Ingersoll | Sheridan |
| Beates | Crapser | Kennedy | Shuit |
| Benedict, E. D. | Cullinan | Lefever | Skinner |
| Benedict, T. E. | Curtis | Liddle | Slingerland |
| Bennett | Davis | Lindsay | Strait |
| Bradley | Deane | Low | Tallmadge |
| Brennan | Dougherty | McAvoy | Terpeny |
| Bridges | Duguid | McTernan | Titus |
| Brodsky | Ellis | Mead | Tozier |
| Bullock | Ferris | Miller | Travis |
| Carpenter, E. A. | Fish | Nowlan | Tuthill, H. H. |
| Carpenter, I. S. | Fiske | O'Brien | Tuttle, R. M. |
| Case | Fitzgerald | Parker | Varnum |
| Catlin | Gibbs | Peck | Waterbury |
| Chamberlain | Gray | Pitcher | Wells, D. A. |
| Chickering | Griggs | Potter | Wells, J. L. |
| Childs | Gwinup | Potts | Youngs |
| Clancy | Hagan | Root | |

Those who voted in the negative, were

Duell Mooers Walsh

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act in relation to the overseers of the poor of the town of Flushing, Queens county," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Cookinham | Kennedy | Sherman |
| Baker, B. F. | Crapser | Lefever | Shuit |
| Baker, C. S. | Cullinan | Liddle | Sipp |
| Beach | Curtis | Lindsay | Skinner |
| Beates | Davis | Low | Steele |
| Benedict, E. D. | Deane | McCabe | Strait |
| Bennett | Dougherty | McTernan | Tallmadge |
| Bradley | Duell | Mead | Terpeny |
| Brennan | Ellis | Miller | Terry |
| Bridges | Ferris | Mitchell | Titus |
| Brodsky | Fish | Mooers | Tozier |
| Bullock | Fiske | Nowlan | Travis |
| Carpenter, I. S. | Fitzgerald | O'Brien | Tuthill, H. H. |
| Case | Gillette | Parker | Tuttle, R. M. |
| Catlin | Gray | Peck | Van Valkenburgh |
| Chamberlain | Griggs | Phillips | Walsh |
| Chickering | Grosse | Potter | Warner |
| Childs | Hagan | Potts | Waterbury |
| Clancy | Hoffman | Root | Wells, D. A. |
| Clowes | Howland | Russell | Wells, J. L. |
| Comstock | Husted | Sanders | Youngs |
| Congdon | Ingersoll | Seeley | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages, so far as said act relates to the village of Wolcott,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|-----------|-------------|
| Alvord | Congdon | Ingersoll | Root |
| Andrews | Cookinham | Kennedy | Russell |
| Baker, B. F. | Crapser | Lefever | Shanley |
| Baker, C. S. | Cullinan | Liddle | Sherman |
| Beach | Curtis | Lindsay | Skinner |
| Beates | Davis | Low | Slingerland |
| Benedict, E. D. | Deane | McAvoy | Steele |
| Benedict, T. E. | Douglass | McCabe | Tallmadge |

| | | | |
|------------------|----------|----------|-----------------|
| Bradley | Duguid | McTernan | Terpeny |
| Brennan | Ellis | Mead | Terry |
| Bridges | Ferris | Miller | Titus |
| Brodsky | Fish | Mitchell | Tozier |
| Bullock | Fiske | Mooers | Travis |
| Carpenter, E. A. | Gillette | Nowlan | Tuthill, H. H. |
| Case | Gray | O'Brien | Tuttle, R. M. |
| Catlin | Griggs | Parker | Van Valkenburgh |
| Chamberlain | Grosse | Peck | Walsh |
| Chickering | Hagan | Phillips | Warner |
| Childs | Hoffman | Potter | Waterbury |
| Clancy | Howland | Potts | Wells, J. L. |
| Clowes | Hurd | Rhodes | Youngs |
| Comstock | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to confirm the official acts of George M. Briggs, Charles Forbes and George W. Brimmer, commissioners of excise in and for the town of Broadalbin, in the county of Fulton, and to enable them to execute a bond to the supervisor thereof," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Andrews | Cookinham | Kennedy | Sanders |
| Baker, B. F. | Crapser | Lefever | Sherman |
| Baker, C. S. | Cullinan | Liddle | Shuit |
| Beach | Curtis | Lindsay | Sipp |
| Beates | Davis | Low | Skinner |
| Benedict, E. D. | Deane | McAvoy | Slingerland |
| Brennan | Douglass | McCabe | Steele |
| Bridges | Duell | McTernan | Tallmadge |
| Brodsky | Ellis | Mead | Terpeny |
| Bullock | Ferris | Miller | Titus |
| Carpenter, E. A. | Fish | Mitchell | Tozier |
| Carpenter, I. S. | Fiske | Mooers | Travis |
| Case | Fitzgerald | Nowlan | Tuthill, H. H. |
| Catlin | Gorsline | O'Brien | Tuttle, R. M. |
| Chamberlain | Griggs | Parker | Van Valkenburgh |
| Chickering | Grosse | Peck | Warner |
| Childs | Hagan | Phillips | Waterbury |
| Clancy | Hoffman | Potter | Wells, D. A. |
| Clowes | Howland | Potts | Wells, J. L. |
| Comstock | Husted | Rhodes | Youngs |
| Congdon | Ingersoll | Root | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to enable marine insurance companies incorporated under the laws of this State to amend their charter," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Cookinham | Kennedy | Seeley |
| Baker, B. F. | Craper | Lefever | Shanley |
| Baker, C. S. | Cullinan | Liddle | Shuit |
| Beach | Curtis | Lindsay | Skinner |
| Beates | Davis | Low | Slingerland |
| Benedict, E. D. | Deane | McAvoy | Steele |
| Bennett | Dougherty | McCabe | Tallmadge |
| Bradley | Douglass | McTernan | Terpeny |
| Bridges | Ellis | Mead | Terry |
| Brodsky | Ferris | Miller | Titus |
| Bullock | Fish | Mooers | Tozier |
| Carpenter, E. A. | Fiske | Nowlan | Travis |
| Carpenter, I. S. | Fitzgerald | O'Brien | Tully |
| Catlin | Gray | Parker | Tuttle, R. M. |
| Chamberlain | Griggs | Peck | Van Valkenburgh |
| Childs | Hagan | Phillips | Warner |
| Clancy | Hoffman | Potter | Waterbury |
| Clowes | Howland | Potts | Wells, J. L. |
| Comstock | Husted | Root | Youngs |
| Congdon | Ingersoll | Russell | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to regulate the passage of lumber, logs and other timber upon the rivers of this State, recognized by law or common use as public highways for the purpose of floating and running lumber, logs and other timber over or upon the same to market or places of manufacture," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Congdon | Kennedy | Seeley |
| Andrews | Craper | Lefever | Sherman |
| Baker, B. F. | Cullinan | Liddle | Shuit |
| Baker, C. S. | Curtis | Lindsay | Sipp |
| Beach | Davis | Low | Skinner |
| Beates | Deane | McAvoy | Slingerland |
| Benedict, E. D. | Douglass | McCabe | Tallmadge |
| Bennett | Ellis | Mead | Terpeny |
| Brennan | Ferris | Miller | Terry |
| Bridges | Fish | Mitchell | Titus |
| Brodsky | Fiske | Mooers | Tozier |
| Bullock | Fitzgerald | Nowlan | Travis |
| Carpenter, E. A. | Gibbs | O'Brien | Tully |
| Carpenter, I. S. | Gorsline | Parker | Tuttle, R. M. |
| Catlin | Griggs | Peck | Van Valkenburgh |
| Chamberlain | Hagan | Phillips | Walsh |
| Childs | Hoffman | Potter | Waterbury |
| Clancy | Howland | Potts | Wells, J. L. |
| Clowes | Husted | Russell | Weston |
| Comstock | Ingersoll | Sanders | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 34 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Costello | Lefever | Shuit |
| Andrews | Crapser | Liddle | Sipp |
| Baker, B. F. | Cullinan | Lindsay | Skinner |
| Baker, C. S. | Curtis | Low | Slingerland |
| Beach | Davis | McCabe | Steele |
| Beates | Deane | McTernan | Tallmadge |
| Benedict, E. D. | Douglass | Mead | Terpeny |
| Benedict, T. E. | Ellis | Miller | Terry |
| Brennan | Ferris | Mitchell | Titus |
| Bridges | Fish | Mooers | Tozier |
| Brodsky | Fiske | Nowlan | Travis |
| Bullock | Fitzgerald | O'Brien | Tully |
| Carpenter, E. A. | Gillette | Parker | Tuthill, H. H. |
| Carpenter, I. S. | Gray | Peck | Tuttle, R. M. |
| Catlin | Griggs | Phillips | Van Valkenburgh |
| Chamberlain | Gwinup | Potter | Varnum |
| Chickering | Hoffman | Potts | Walsh |
| Childs | Howland | Root | Warner |
| Clancy | Husted | Russell | Waterbury |
| Clowes | Ingersoll | Seeley | Wells, J. L. |
| Comstock | Kennedy | Sherman | Youngs |
| Congdon | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 486 of the Laws of 1855, entitled 'An act to amend the charter of the village of Horseheads, in Chemung county, and the several acts amendatory thereof, and to supplement new sections,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|----------|----------|-------------|
| Alvord | Congdon | Lefever | Sherman |
| Andrews | Crapser | Liddle | Shuit |
| Baker, B. F. | Cullinan | Lindsay | Sipp |
| Baker, C. S. | Curtis | Low | Skinner |
| Beach | Davis | McCabe | Slingerland |
| Beates | Deane | Mead | Steele |
| Benedict, E. D. | Douglass | Miller | Tallmadge |
| Bradley | Ellis | Mitchell | Terpeny |

| | | | |
|------------------|------------|----------|-----------------|
| Brennan | Ferris | Mooers | Terry |
| Bridges | Fish | Newman | Titus |
| Brodsky | Fiske | Nowlan | Tozier |
| Bullock | Fitzgerald | O'Brien | Travis |
| Carpenter, E. A. | Gorsline | Peck | Tuthill, H. H. |
| Carpenter, I. S. | Griggs | Phillips | Tuttle, R. M. |
| Catlin | Grosse | Potter | Van Valkenburgh |
| Chamberlain | Hagan | Potts | Warner |
| Chickering | Hoffman | Root | Waterbury |
| Childs | Howland | Russell | Wells, D. A. |
| Clancy | Husted | Sanders | Wells, J. L. |
| Clowes | Ingersoll | Seeley | Youngs |
| Comstock | Kennedy | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to legalize the official acts of Frank M. Goff, a justice of the peace, and to allow him to file his official bond," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Comstock | Kennedy | Seeley |
| Andrews | Congdon | Lefever | Shuit |
| Baker, B. F. | Cookinham | Liddle | Sisson |
| Baker, C. S. | Crapser | Lindsay | Skinner |
| Beach | Cullinan | Low | Steele |
| Beates | Curtis | McAvoy | Tallmadge |
| Benedict, E. D. | Davis | McCabe | Terpeny |
| Benedict, T. E. | Deane | Mead | Terry |
| Brennan | Douglass | Miller | Titus |
| Bridges | Duell | Mitchell | Tozier |
| Brodsky | Ferris | Mooers | Travis |
| Bullock | Fish | Nowlan | Tuthill, H. H. |
| Carpenter, E. A. | Fiske | O'Brien | Tuttle, R. M. |
| Carpenter, I. S. | Fitzgerald | Parker | Van Valkenburgh |
| Catlin | Gray | Peck | Warner |
| Chamberlain | Grosse | Phillips | Waterbury |
| Chickering | Hagan | Potter | Wells, D. A. |
| Childs | Howland | Potts | Wells, J. L. |
| Clancy | Husted | Root | Youngs |
| Clowes | Ingersoll | Russell | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate returned Assembly bill entitled "An act for grading and planking Delaware avenue, in the city of Albany, from the north line of Warren street to the division line between the city of Albany and the town of Bethlehem, and to provide for the payment of the same," with a message that they have concurred in the passage of the same with the following amendments:

Strike out section 2 and insert the following:

Section 2. The work provided to be done under and by the provisions of this act shall be done, and the plank road thereafter shall be

kept in good condition and repair under contracts to be made, let and entered into by the city of Albany acting by the board of contract and apportionment thereof, but only after due public notice for bids for such work shall have been given. The contracts shall be made for a period of two years, and the contractor shall give a bond with a penalty of twice the aggregate amount to be paid under said contract, with two sufficient sureties, each of whom shall be a freeholder in this State, and shall justify in twice the penalty of the bond. Any owner of land abutting upon the road so to be improved may, from time to time, sue in his name and recover from the contractor or from the sureties upon his bond, or from all of them, fifty dollars for each and every failure of the contractor to comply with any of the provisions of his said contract if such failure shall continue for three whole days after written notice specifying the defects in said road shall have been personally served on said contractor, or for five days after a similar notice shall have been deposited in the post-office in the city of Albany, duly inclosed in an envelope with the proper postage prepaid thereon, directed to said contractor at his place of residence (which residence shall be mentioned in the contract).

§ 3. This act shall continue in force until May 1, 1886, at and after which time the city of Albany shall be relieved from the further expense of maintaining and keeping in order said road, and the same shall be maintained and kept in order at the expense of the owners of abutting property as in the case of the paved streets in the city of Albany.

§ 4. This act shall not prevent the paving of said road if the adjoining owners shall, at any time, duly petition therefor in accordance with the provisions of the charter of the city of Albany.

§ 5. This act shall take effect immediately.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Congdon | Kennedy | Sanders |
| Andrews | Cookinham | Lefever | Seeley |
| Baker, B. F. | Cullinan | Liddle | Sheridan |
| Baker, C. S. | Curtis | Lindsay | Sherman |
| Beach | Davis | Low | Shuit |
| Beates | Deane | McAvoy | Skinner |
| Benedict, E. D. | Douglass | McCabe | Slingerland |
| Benedict, T. E. | Duell | McCarthy | Steele |
| Brennan | Evans | Mead | Tallmadge |
| Bridges | Ferris | Miller | Terpeny |
| Brodsky | Fish | Mitchell | Titus |
| Bullock | Fiske | Mooers | Tozier |
| Carpenter, E. A. | Fitzgerald | Nowlan | Travis |
| Carpenter, I. S. | Gray | O'Brien | Tuthill, H. H. |
| Catlin | Griggs | Parker | Tuttle, R. M. |
| Chamberlain | Hagan | Peck | Walsh |
| Chickering | Havens | Phillips | Waterbury |
| Childs | Hoffman | Potter | Wells, D. A. |
| Clancy | Howland | Potts | Wells, J. L. |
| Clowes | Husted | Root | Youngs |
| Comstock | Ingersoll | Russell | |

Ordered, That the Clerk return said bill to the Senate with a message informing of concurrence in their amendments.

By unanimous consent,

Mr. Rhodes offered for the consideration of the House a privileged resolution in the words following:

Whereas, The testimony taken upon the investigation relative to leasing the Dannemora Railroad was submitted to this House, with the report of the committee appointed to make such investigation on the 2d day of April last, and then ordered printed; and,

Whereas, Said testimony has been transmitted to the printer, but has not been printed, nor has the printing thereof been commenced by said printer; therefore,

Resolved, That the Clerk of this House be required to have said testimony printed and placed on the files of the Assembly within ten days.

Mr. Skinner moved to strike out the words "the Clerk of this House" and insert in lieu thereof the "Legislative Printer."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Senate bill entitled "An act to amend chapter 407 of the Laws of 1876, entitled 'An act extending the powers of the trustees of the village of Canandaigua,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Crapser | Kennedy | Shuit |
| Andrews | Cullinan | Lefever | Sipp |
| Baker, B. F. | Curtis | Liddle | Skinner |
| Baker, C. S. | Davis | Lindsay | Steele |
| Beach | Deane | Low | Strait |
| Benedict, E. D. | Douglass | McAvoy | Tallmadge |
| Benedict, T. E. | Duell | McCabe | Terpeny |
| Brennan | Evans | Mead | Terry |
| Bridges | Ferris | Miller | Titus |
| Brodsky | Fish | Mitchell | Tozier |
| Bullock | Fiske | Mooers | Travia |
| Carpenter, E. A. | Fitzgerald | Nowlan | Tully |
| Carpenter, I. S. | Gibbs | O'Brien | Tnithill, H. H. |
| Case | Gorsline | Parker | Tuttle, R. M. |
| Chamberlain | Gray | Peck | Van Valkenburgh |
| Chickering | Griggs | Phillips | Walsh |
| Childs | Gwinup | Potter | Warner |
| Clancy | Havens | Potts | Waterbury |
| Clowes | Hayes | Root | Wells, D. A. |
| Comstock | Howland | Russell | Wells, J. L. |
| Congdon | Husted | Seeley | Youngs |
| Cookinham | Ingersoll | Sheridan | |

Ordered, That the Clerk return said bill to the Senate, with a

message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act further to amend chapter 446 of the Laws of 1874, entitled 'An act to revise and consolidate the statutes of the State relating to the care and custody of the insane, the management of the asylums for their treatment and safe-keeping, and the duties of the State Commissioner in Lunacy,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Cookinham | Lefever | Sherman |
| Andrews | Curtis | Liddle | Shuit |
| Baker, B. F. | Davis | Lindsay | Sipp |
| Baker, C. S. | Deane | Low | Skinner |
| Beach | Douglass | McAvoy | Slingerland |
| Beates | Duell | McCabe | Steele |
| Benedict, E. D. | Ellis | Mead | Tallmadge |
| Brennan | Ferris | Miller | Terpeny |
| Bridges | Fish | Mooers | Titus |
| Brodsky | Fiske | Nowlan | Tormey |
| Bullock | Fitzgerald | O'Brien | Tozier |
| Carpenter, E. A. | Gorsline | Parker | Travis |
| Carpenter, I. S. | Gray | Peck | Tuthill, H. H. |
| Catlin | Griggs | Phillips | Tuttle, R. M. |
| Chamberlain | Gwinup | Potter | Van Valkenburgh |
| Chickering | Havens | Potts | Varnum |
| Childs | Hoffman | Root | Warner |
| Clowes | Howland | Russell | Waterbury |
| Cohen | Hurd | Sanders | Wells, D. A. |
| Comstock | Ingersoll | Seeley | Wells, J. L. |
| Congdon | Kennedy | Sheridan | Youngs |

Those who voted in the negative, were

Crapser

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Fitzgerald presented a memorial of the mayor and comptroller of the city of New York, asking for the passage of "An act authorizing the rebuilding of Fulton market, in the city of New York;" which was read and referred to the committee on affairs of cities.

Mr. Varnum moved to lay all order of business on the table, for the purpose of taking up order of business third reading of bills.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Varnum introduced a bill entitled "An act to provide for the rebuilding of Fulton market, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

A message from the Senate was received and read informing of concurrence in the passage of the following bills :

"An act to provide for the navigation of the waters of the Wallkill creek, in the county of Ulster by steamboats.

"An act to release and convey to Emily Wundus the interest of the People of the State of New York in certain real estate in the city of Lockport."

"An act in relation to the payment of costs on arrest, trial and punishment for crimes and misdemeanors in villages, and in relation to the civil jurisdiction of police justices therein."

"An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers.'"

"An act to establish a local court of civil jurisdiction in the city of Buffalo, to be called the municipal court of Buffalo, and to amend the charter of said city."

"An act to authorize the trustees of the Manlius Academy to transfer and convey their academic property to the board of education of union free school number six, in the town of Manlius, of the county of Onondaga."

"An act to amend chapter 340 of the Laws of 1878, entitled 'An act in relation to the repaving of streets in the city of Syracuse, and to amend the charter of said city.'"

"An act in relation to taxes and assessments levied prior to January 1, 1874, in the towns annexed from the county of Westchester to the city of New York."

"An act to amend chapter 458 of the Laws of 1875, entitled 'An act to amend chapter 807 of the Laws of 1873, entitled 'An act concerning notaries public in the counties of Kings, Queens, Richmond, Westchester and Rockland, and in the city and county of New York, and authorizing them to exercise the functions of their office therein.'"

"An act authorizing the village of Wellsville, New York, to appropriate portions of its highway moneys to the laying of stone sidewalks."

"An act entitled 'An act to fix and regulate the rates of toll on the Overlook Turnpike Company, in the counties of Ulster and Greene.'"

"An act to amend chapter 34 of the Session Laws of 1876, entitled 'An act to provide for the payment of a portion or the whole of the bounty debt of the county of Greene, by issuing new bonds, passed February 28, 1876.'"

"An act to legalize the action of the annual town meeting of the town of Johnstown, in the county of Fulton, held on the 10th and 11th of February, 1880, in raising money for roads and bridges and authorizing the collection thereof."

"An act to amend chapter 75 of the Laws of 1878, entitled 'An act in relation to the bonded indebtedness of villages, cities and counties.'"

"An act to authorize the city of Utica to borrow money to pay certain debts therein.'"

"An act to amend chapter 780 of the Laws of 1868, entitled 'An act in relation to a system of sewerage in and for the city of Syracuse.'"

"An act to amend chapter 331 of the Laws of 1846, entitled 'An act to incorporate the Domestic and Foreign Missionary Society of the Protestant Episcopal Church of the United States of America.'"

"An act creating a board of town auditors in the town of Newtown, Queens county, and prescribing their powers and duties."

"An act to prevent malicious annoyance."

"An act to further amend section 2 of chapter 139 of the Laws of 1870, as amended by chapter 402 of the Laws of 1877, entitled 'An act to annex parts of the towns of Bethlehem and Watervliet, in the county of Albany, to the city of Albany, and to exempt such parts thereof from certain taxes and to annex a part of the city of Albany to the town of Watervliet.'"

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned Assembly resolution asking the Governor to return Assembly bill No. 280, entitled "An act to transfer to Cornell University the securities, moneys and contracts constituting and relating to the Cornell endowment fund," for amendment, with a message that they have concurred in the same.

Ordered, That the Clerk deliver said resolution to the Governor.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Hayes (introductory No. 1058, entitled "An act providing for the appointment of an additional number of commissioners of deeds in the city of New York," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

The hour of six having arrived, the House adjourned.

THURSDAY MORNING, MAY 6, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Dr. H. E. Stanton.

The journal of yesterday was read and approved.

Privileges of the floor were granted to Hon. Mr. Arnold, also to Hon. R. R. Steele.

Pursuant to ninth joint rule, Mr. Speaker announced the order of business third reading of bills.

Mr. Newman moved to lay said order of business on the table, for the purpose of taking up order of business introduction of bills.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

The Senate returned Assembly bill entitled "An act in relation to runners or solicitors of passengers or patronage for steamers, steamboats, ships, vessels, hotels, railroads or transportation companies in the city of New York," with a message that they have concurred in the passage of the same with the following amendments:

Section 7, line 2, after the word "eighty" insert "one."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord
Andrews

Cullinan
Curtis

Low
McAvoy

Shuit
Sipp

| | | | |
|------------------|------------|----------|----------------|
| Baker, C. S. | Cushing | McCabe | Sisson |
| Beach | Davis | McTernan | Skinner |
| Beates | Douglass | Miller | Strait |
| Benedict, E. D. | Duell | Mitchell | Tallmadge |
| Bradley | Ellis | Mooers | Terpeny |
| Brennan | Evans | Morgan | Thilemann |
| Bridges | Ferris | Newman | Titus |
| Brodsky | Fish | Nowlan | Tozier |
| Carpenter, E. A. | Fiske | Parker | Travis |
| Carpenter, I. S. | Fitzgerald | Peck | Treanor |
| Case | Gray | Phillips | Tuthill, H. H. |
| Chamberlain | Gwinup | Pitcher | Tuttle, R. M. |
| Childs | Havens | Potts | Varnum |
| Clowes | Hoffman | Root | Waterbury |
| Cohen | Howland | Russell | Wells, D. A. |
| Comstock | Kennedy | Sanders | Wells, J. L. |
| Congdon | Lefever | Seeley | Youngs |
| Cookinham | Liddle | Shanley | Mr. Speaker |
| Crapsier | Lindsay | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

By unanimous consent,

Mr. Root offered for the consideration of the House a privileged resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to this House of Assembly bill No. 247, entitled "An act to authorize the construction of a lift or swing bridge over the Erie canal at Brockport," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The bill entitled "An act in relation to the Ladies' Union Aid Society of the Methodist Episcopal Church in the City of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 83 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Deane | McDonald | Sisson |
| Andrews | Douglass | Mead | Skinner |
| Baker, C. S. | Duell | Miller | Steele |
| Beach | Ellis | Mitchell | Strait |
| Beates | Ferris | Mooers | Tallmadge |
| Benedict, E. D. | Fish | Morgan | Terpeny |
| Bradley | Fiske | Newman | Thilemann |
| Brennan | Fitzgerald | Nowlan | Titus |
| Bridges | Gray | Parker | Tozier |
| Brodsky | Hagan | Peck | Travis |
| Carpenter, I. S. | Havens | Phillips | Treanor |
| Chamberlain | Hoffman | Pitcher | Tuthill, H. H. |
| Childs | Howland | Potts | Tuttle, R. M. |
| Clowes | Hurd | Rhodes | Varnum |
| Cohen | Kennedy | Root | Walsh |
| Comstock | Lefever | Russell | Warner |
| Congdon | Liddle | Seeley | Waterbury |
| Cookinham | Lindsay | Shanley | Wells, D. A. |
| Crapsier | Low | Sherman | Wells, J. L. |

| | | | |
|--------|--------|-------|--------|
| Curtis | McAvoy | Shuit | Youngs |
| Davis | McCabe | Sipp | |

Those who voted in the negative, were

Grosse

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to establish a cemetery in the town of Long Lake, Hamilton county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Curtis | Lindsay | Sherman |
| Andrews | Cushing | Low | Shuit |
| Baker, C. S. | Davis | McAvoy | Sipp |
| Beach | Deane | McCabe | Sisson |
| Beates | Douglass | McDonald | Skinner |
| Benedict, E. D. | Duell | Mead | Steele |
| Benedict, T. E. | Ellis | Miller | Tallmadge |
| Bradley | Ferris | Mitchell | Terpeny |
| Brennan | Fish | Mooers | Titus |
| Bridges | Fiske | Morgan | Tozier |
| Brodsky | Fitzgerald | Newman | Travis |
| Carpenter, E. A. | Gibbs | Parker | Treanor |
| Catlin | Gray | Peck | Tully |
| Chamberlain | Gwinup | Phillips | Tuthill, H. H. |
| Childs | Hagan | Pitcher | Tuttle, R. M. |
| Clowes | Havens | Potts | Walsh |
| Cohen | Howland | Rhodes | Warner |
| Comstock | Hurd | Root | Waterbury |
| Congdon | Kennedy | Russell | Wells, D. A. |
| Cookinham | Lefever | Sanders | Wells, J. L. |
| Crapeer | Liddle | Seeley | Youngs |
| Cullinan | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the taxation of life insurance companies," being announced for a third reading,

On motion of Mr. Travis, and by unanimous consent, said bill was amended in words following:

Section 1, line 5, strike out the word "two" and insert in lieu thereof "one."

Said bill, as amended; was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 72 }
{ NOES 6 }

Those who voted in the affirmative, were

| | | | |
|--------------|---------|--------|--------|
| Alvord | Curtis | Low | Sipp |
| Baker, C. S. | Cushing | McAvoy | Sisson |

| | | | |
|------------------|----------|----------|----------------|
| Beach | Davis | McCabe | Skinner |
| Beates | Deane | McDonald | Steele |
| Benedict, T. E. | Douglass | Mead | Strait |
| Bradley | Duell | Miller | Tallmadge |
| Brennan | Ferris | Mooers | Terpeny |
| Bridges | Fish | Parker | Terry |
| Brodsky | Fiske | Peck | Titus |
| Carpenter, I. S. | Gibbs | Phillips | Travis |
| Chamberlain | Gray | Root | Treanor |
| Childs | Grosse | Rhodes | Tuthill, H. H. |
| Clowes | Gwinup | Root | Warner |
| Cohen | Hagan | Sanders | Waterbury |
| Comstock | Howland | Seeley | Wells, D. A. |
| Congdon | Kennedy | Sheridan | Wells, J. L. |
| Cookinham | Lefever | Sherman | Wren |
| Crapeer | Liddle | Shuit | Youngs |

Those who voted in the negative, were

| | | | |
|-----------------|--------|---------|---------|
| Benedict, E. D. | Hayes | Pitcher | Russell |
| Fitzgerald | Morgan | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence the following resolution:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill No. 155, entitled "An act in relation to highway labor and the construction of sidewalks in the village of Whitney's Point," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein.

The bill entitled "An act to amend chapter 409 of the Laws of 1879, entitled 'An act to extend the time for the organization of the Centennial Insurance Company of New York,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Davis | Low | Sheridan |
| Andrews | Deane | McAvoy | Sherman |
| Baker, C. S. | Douglass | McCabe | Shuit |
| Beach | Duell | McDonald | Sipp |
| Benedict, E. D. | Ellis | Mead | Sisson |
| Bradley | Ferris | Miller | Skinner |
| Brennan | Fish | Mitchell | Steele |
| Brodsky | Fiske | Mooers | Strait |
| Carpenter, I. S. | Fitzgerald | Morgan | Tallmadge |
| Chamberlain | Gibbs | Newman | Terry |
| Childs | Gray | O'Connor | Titus |
| Clark | Hagan | Parker | Tozier |
| Clowes | Hayes | Peck | Travis |
| Cohen | Hoffman | Phillips | Treanor |
| Comstock | Howland | Pitcher | Tuthill, H. H. |
| Congdon | Hurd | Potts | Tuttle, R. M. |
| Cookinham | Kennedy | Root | Waterbury |

Cullinan
Curtis
Cushing

Lefever
Liddle
Lindsay

Russell
Sanders
Seeley

Wells, J. L.
Youngs

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act authorizing the Superintendent of Public Works to maintain that portion of the Genesee river feeder lying within the limits of the city of Rochester in such condition that it shall not be detrimental to the public health," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }
{ NOES 2 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Comstock | Lefever | Seeley |
| Andrews | Congdon | Liddle | Sheridan |
| Baker, C. S. | Cookinham | Lindsay | Sherman |
| Beach | Culinan | Low | Shuit |
| Beates | Curtis | McAvoy | Sipp |
| Benedict, E. D. | Davis | McCabe | Sisson |
| Bennett | Deane | McDonald | Skinner |
| Bradley | Duell | Mead | Steele |
| Brennan | Ferris | Miller | Tallmadge |
| Bridges | Fish | Mitchell | Terpeny |
| Brodskey | Fiske | Mooers | Terry |
| Bullock | Fitzgerald | Morgan | Titus |
| Carpenter, E. A. | Gibbs | Newman | Tozier |
| Carpenter, I. S. | Gray | Parker | Travis |
| Chamberlain | Gwinup | Peck | Tuthill, H. H. |
| Chase | Hagan | Phillips | Tuttle, R. M. |
| Chickering | Hoffman | Pitcher | Warner |
| Childs | Howland | Potts | Waterbury |
| Clark | Hurd | Root | Wells, J. L. |
| Clowes | Kennedy | Russell | Youngs |

Those who voted in the negative, were

Crapser Ellis

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the city of Buffalo to issue its bonds, payable forty years after the date of issue, and bearing interest at a rate not exceeding 5 per centum per annum, to the extent of \$1,000,000, for the purpose of providing money to pay for constructing a belt sewer from the end of the mill race sewer, at or near Hamburg street to a point on the Niagara river below the water works tunnel, as the common council and mayor of said city of Buffalo may direct," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Curtis | Liddle | Shanley |
| Andrews | Cushing | Lindsay | Sheridan |
| Baker, B. F. | Davis | Low | Sherman |
| Baker, C. S. | Deane | McAvoy | Shuit |
| Beach | Douglass | McCabe | Sipp |
| Beates | Ellis | McDonald | Sisson |
| Benedict, E. D. | Ferris | Mead | Skinner |
| Brennan | Fish | Miller | Steele |
| Bridges | Fiske | Mitchell | Tallmadge |
| Brodsky | Fitzgerald | Mooers | Terpeny |
| Bullock | Gibbs | Morgan | Titus |
| Carpenter, E. A. | Gray | Newman | Tozier |
| Carpenter, I. S. | Griggs | Parker | Travis |
| Chickering | Grosse | Peck | Treanor |
| Childs | Hagan | Phillips | Tuthill, H. H. |
| Clancy | Havens | Pitcher | Tuttle, R. M. |
| Clark | Hoffman | Potts | Warner |
| Clowes | Howland | Rhodes | Waterbury |
| Comstock | Hurd | Root | Wells, D. A. |
| Congdon | Kennedy | Russell | Wells, J. L. |
| Cookinham | Lefever | Sanders | Youngs |
| Costello | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to authorize the sale of the stock held by the city of Rome in the Rome and Clinton Railroad Company, and to authorize the application of the proceeds to the payment of the bonds of said city issued in payment for said stock," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Costello | Lefever | Seeley |
| Andrews | Crapser | Liddle | Sheridan |
| Baker, B. F. | Cullinan | Lindsay | Sherman |
| Baker, C. S. | Curtis | Low | Shuit |
| Beach | Davis | McAvoy | Sipp |
| Beates | Deane | McCabe | Sisson |
| Benedict, E. D. | Dougherty | McDonald | Skinner |
| Brennan | Douglass | Miller | Slingerland |
| Bridges | Ellis | Mitchell | Tallmadge |
| Brodsky | Ferris | Mooers | Terry |
| Bullock | Fish | Morgan | Tozier |
| Carpenter, E. A. | Fiske | Newman | Travis |
| Carpenter, I. S. | Fitzgerald | Nowlan | Tuthill, H. H. |
| Castlin | Gibbs | Parker | Tuttle, R. M. |
| Chickering | Gillette | Peck | Varnum |

Cullinan
Curtis
Cushing

Lefever
Liddle
Lindsay

Russell
Sanders
Seeley

Wells, J. L.
Youngs

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act authorizing the Superintendent of Public Works to maintain that portion of the Genesee river feeder lying within the limits of the city of Rochester in such condition that it shall not be detrimental to the public health," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }
{ NOES 2 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Comstock | Lefever | Seeley |
| Andrews | Congdon | Liddle | Sheridan |
| Baker, C. S. | Cookinham | Lindsay | Sherman |
| Beach | Culinan | Low | Shuit |
| Beates | Curtis | McAvoy | Sipp |
| Benedict, E. D. | Davis | McCabe | Sisson |
| Bennett | Deane | McDonald | Skinner |
| Bradley | Duell | Mead | Steele |
| Brennan | Ferris | Miller | Tallmadge |
| Bridges | Fish | Mitchell | Terpeny |
| Brodsky | Fiske | Mooers | Terry |
| Bullock | Fitzgerald | Morgan | Titus |
| Carpenter, E. A. | Gibbs | Newman | Tozier |
| Carpenter, I. S. | Gray | Parker | Travis |
| Chamberlain | Gwinup | Peck | Tuthill, H. H. |
| Chase | Hagan | Phillips | Tuttle, R. M. |
| Chickering | Hoffman | Pitcher | Warner |
| Childs | Howland | Potts | Waterbury |
| Clark | Hurd | Root | Wells, J. L. |
| Clowes | Kennedy | Russell | Youngs |

Those who voted in the negative, were

Crapser Ellis

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the city of Buffalo to issue its bonds, payable forty years after the date of issue, and bearing interest at a rate not exceeding 5 per centum per annum, to the extent of \$1,000,000, for the purpose of providing money to pay for constructing a belt sewer from the end of the mill race sewer, at or near Hamburg street to a point on the Niagara river below the water works tunnel, as the common council and mayor of said city of Buffalo may direct," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Curtis | Liddle | Shanley |
| Andrews | Cushing | Lindsay | Sheridan |
| Baker, B. F. | Davis | Low | Sherman |
| Baker, C. S. | Deane | McAvoy | Shuit |
| Beach | Douglass | McCabe | Sipp |
| Beates | Ellis | McDonald | Sisson |
| Benedict, E. D. | Ferris | Mead | Skinner |
| Brennan | Fish | Miller | Steele |
| Bridges | Fiske | Mitchell | Tallmadge |
| Brodsky | Fitzgerald | Mooers | Terpeny |
| Bullock | Gibbs | Morgan | Titus |
| Carpenter, E. A. | Gray | Newman | Tozier |
| Carpenter, I. S. | Griggs | Parker | Travis |
| Chickering | Grosse | Peck | Treanor |
| Childs | Hagan | Phillips | Tuthill, H. H. |
| Clancy | Havens | Pitcher | Tuttle, R. M. |
| Clark | Hoffman | Potts | Warner |
| Clowes | Howland | Rhodes | Waterbury |
| Comstock | Hurd | Root | Wells, D. A. |
| Congdon | Kennedy | Russell | Wells, J. L. |
| Cookinham | Lefever | Sanders | Youngs |
| Costello | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to authorize the sale of the stock held by the city of Rome in the Rome and Clinton Railroad Company, and to authorize the application of the proceeds to the payment of the bonds of said city issued in payment for said stock," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Costello | Lefever | Seeley |
| Andrews | Crapser | Liddle | Sheridan |
| Baker, B. F. | Cullinan | Lindsay | Sherman |
| Baker, C. S. | Curtis | Low | Shuit |
| Beach | Davis | McAvoy | Sipp |
| Beates | Deane | McCabe | Sisson |
| Benedict, E. D. | Dougherty | McDonald | Skinner |
| Brennan | Douglass | Miller | Slingerland |
| Bridges | Ellis | Mitchell | Tallmadge |
| Brodsky | Ferris | Mooers | Terry |
| Bullock | Fish | Morgan | Tozier |
| Carpenter, E. A. | Fiske | Newman | Travis |
| Carpenter, I. S. | Fitzgerald | Nowlan | Tuthill, H. H. |
| Catlin | Gibbs | Parker | Tuttle, R. M. |
| Chickering | Gillette | Peck | Varnum |

| | | | |
|-----------|---------|----------|--------------|
| Childs | Gray | Phillips | Walsh |
| Clark | Griggs | Pitcher | Warner |
| Clowes | Gwinup | Potts | Waterbury |
| Cohen | Havens | Rhodes | Wells, D. A. |
| Comstock | Hoffman | Root | Wells, J. L. |
| Congdon | Howland | Sanders | Youngs |
| Cookinham | Hurd | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act appropriating money to pay certain awards made by the Canal Appraisers, and the interest thereon; and to pay counsel and witnesses employed and subpoenaed in behalf of the State," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Crapser | Kennedy | Roberts |
| Andrews | Cullinan | Lefever | Sanders |
| Baker, B. F. | Curtis | Liddle | Seeley |
| Baker, C. S. | Davis | Lindsay | Sheridan |
| Beach | Deane | Low | Sherman |
| Beates | Dougherty | McCabe | Shuit |
| Benedict, E. D. | Douglass | McDonald | Sipp |
| Bridges | Duell | Mead | Sisson |
| Brodsky | Duguid | Miller | Steele |
| Bullock | Ellis | Mitchell | Tallmadge |
| Carpenter, I. S. | Ferris | Mooers | Terpeny |
| Catlin | Fish | Morgan | Titus |
| Chamberlain | Fiske | Newman | Tozier |
| Chickering | Fitzgerald | O'Connor | Travis |
| Childs | Gibbs | Parker | Tully |
| Clancy | Gillette | Peck | Tuthill, H. H. |
| Clark | Gray | Phillips | Tuttle, R. M. |
| Clowes | Gwinup | Pitcher | Waterbury |
| Comstock | Havens | Potts | Wells, J. L. |
| Congdon | Howland | Rhodes | Youngs |
| Cookinham | Hurd | | |

Those who voted in the negative, were
Skinner

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to legalize the official acts and proceedings of Hiram Dimick, a justice of the peace of the town of Wirt, in the county of Allegany," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

MAY 6.]

1275

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Cullinan | Hurd | Sanders |
| Andrews | Curtis | Kennedy | Seeley |
| Baker, B. F. | Cushing | Lefever | Sheridan |
| Baker, O. S. | Davis | Liddle | Sherman |
| Beach | Deane | Lindsay | Sipp |
| Beates | Dougherty | McAvoy | Sisson |
| Benedict, E. D. | Douglass | McCabe | Skinner |
| Brodsky | Duell | McDonald | Strait |
| Bullock | Duguid | Miller | Tallmadge |
| Carpenter, I. S. | Ellis | Mitchell | Terpeny |
| Catlin | Evans | Mooers | Thilemann |
| Chamberlain | Ferris | Morgan | Titus |
| Chickering | Fish | Newman | Tozier |
| Childs | Fiske | Parker | Travis |
| Clancy | Fitzgerald | Peck | Tully |
| Clark | Gibbs | Phillips | Tuthill, H. H. |
| Clowes | Gray | Pitcher | Tuttle, R. M. |
| Cohen | Grosse | Potts | Waterbury |
| Comstock | Gwinup | Rhodes | Wells, J. L. |
| Congdon | Havens | Root | Weston |
| Cookinham | Howland | Russell | Youngs |
| Crapser | | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to legalize and confirm the official acts of Jonathan O. Spink, of the town of Orangeville, Wyoming county, as justice of the peace," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Crapser | Lefever | Seeley |
| Andrews | Cullinan | Liddle | Sheridan |
| Baker, B. F. | Curtis | Lindsay | Sherman |
| Beach | Cushing | Low | Shuit |
| Beates | Davis | McAvoy | Sipp |
| Benedict, E. D. | Deane | McCabe | Sisson |
| Bradley | Duell | McDonald | Skinner |
| Brennan | Duguid | Mead | Slingerland |
| Bridges | Evans | Miller | Tallmadge |
| Brodsky | Ferris | Mooers | Terpeny |
| Bullock | Fish | Morgan | Titus |
| Carpenter, I. S. | Fiske | Newman | Tozier |
| Catlin | Fitzgerald | Parker | Travis |
| Chamberlain | Gibbs | Peck | Tully |
| Chickering | Gillette | Phillips | Tuthill, H. H. |
| Childs | Gray | Pitcher | Tuttle, R. M. |
| Clancy | Gwinup | Potts | Warner |
| Clowes | Havens | Rhodes | Waterbury |

Cohen
Congdon
Cookinham

Howland
Hurd
Kennedy

Root
Russell
Sanders

Wells, J. L.
Weston
Youngs

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to amend chapter 290 of the Laws of 1879, entitled 'An act to amend chapter 149 of the Laws of 1874, entitled 'An act to amend an act, passed April 27, 1872, entitled 'An act to amend chapter 657 of the Laws of 1871, entitled 'An act to amend an act, passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes, passed April 20, 1871, and to legalize the formation and acts of certain corporations formed according to the provisions of chapter 374 of the Laws of 1877,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 38 }
{ NOES 52 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|--------------|
| Andrews | Clowes | Lefever | Sisson |
| Baker, C. S. | Cemstock | Low | Steele |
| Beates | Crapser | Miller | Terpeny |
| Bradley | Cullinan | Mooers | Terry |
| Brodsky | Davis | Parker | Tozier |
| Bullock | Dougherty | Pitcher | Travis |
| Carpenter, I. S. | Duell | Russell | Waterbury |
| Oatlin | Duguid | Sheridan | Wells, J. L. |
| Case | Ferris | Shuit | Youngs |
| Clark | Fitzgerald | | |

Those who voted in the negative, were

| | | | |
|-----------------|----------|----------|----------------|
| Alvord | Cushing | Lindsay | Seeley |
| Beach | Douglass | McAvoy | Shanley |
| Benedict, E. D. | Evans | McCarthy | Sherman |
| Benedict, T. E. | Fish | McDonald | Skinner |
| Brennan | Gibbs | Mead | Strait |
| Bridges | Gillette | Morgan | Thilemann |
| Chamberlain | Grosse | Newman | Treanor |
| Chickering | Gwinup | O'Connor | Tully |
| Childs | Havens | Peck | Tuthill, H. H. |
| Clancy | Howland | Potter | Tuttle, R. M. |
| Cohen | Hurd | Potts | Walsh |
| Costello | Kennedy | Rhodes | Weston |
| Curtis | Liddle | Root | Youngs |

Mr. Terry moved to reconsider the vote by which said bill was lost, and that the motion do lay upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill entitled "An act to exempt the town of Lenox, in the county of Madison, from the provisions and operation of chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|----------|----------------|
| Alvord | Crapser | Liddle | Shanley |
| Andrews | Cullinan | Lindsay | Sheridan |
| Baker, B. F. | Curtis | Low | Sherman |
| Baker, C. S. | Davis | McCabe | Shuit |
| Beach | Deane | McDonald | Sipp |
| Beates | Douglass | Miller | Sisson |
| Benedict, E. D. | Duell | Mitchell | Skinner |
| Bradley | Duguid | Moors | Tallmadge |
| Brennan | Ellis | Morgan | Terpeny |
| Bridges | Ferris | Newman | Titus |
| Brodskey | Fish | Parker | Tozier |
| Bullock | Gibbs | Peck | Travis |
| Carpenter, I. S. | Gillette | Phillips | Treanor |
| Catlin | Gray | Pitcher | Tully |
| Chase | Griggs | Potter | Tuthill, H. H. |
| Chickering | Havens | Potts | Tuttle, R. M. |
| Childs | Hayes | Rhodes | Waterbury |
| Clancy | Howland | Root | Wells, D. A. |
| Clowes | Hurd | Russell | Wells, J. L. |
| Comstock | Kennedy | Sanders | Weston |
| Congdon | Lefever | Seeley | Youngs |
| Cookinham | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to restrict appeals to the court of appeals in certain cases," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 81 }
{ NOES 6 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Cookinham | Lefever | Sheridan |
| Andrews | Cullinan | Liddle | Sipp |
| Baker, B. F. | Curtis | Lindsay | Sisson |
| Baker, C. S. | Davis | Low | Skinner |
| Beach | Douglass | McCabe | Tallmadge |
| Beates | Duguid | McDonald | Terpeny |
| Benedict, E. D. | Ellis | Mead | Terry |
| Bradley | Evans | Miller | Thilemann |
| Brennan | Ferris | Moors | Titus |
| Bridges | Fish | Morgan | Tozier |
| Brodskey | Gillette | Newman | Travis |
| Bullock | Gray | Parker | Tully |
| Carpenter, I. S. | Gwinup | Peck | Tuthill, H. H. |
| Catlin | Hagan | Phillips | Walsh |
| Chase | Havens | Pitcher | Warner |
| Chickering | Hoffman | Potter | Waterbury |
| Childs | Howland | Rhodes | Wells, D. A. |

| | | | |
|---------|-----------|---------|--------|
| Clancy | Hurd | Russell | Weston |
| Clark | Ingersoll | Sanders | Wren |
| Clowes | Kennedy | Seeley | Youngs |
| Congdon | | | |

Those who voted in the negative, were

| | | | |
|-------------|-------|---------|---------------|
| Chamberlain | Potts | Sherman | Tuttle, R. M. |
| Comstock | Root | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act authorizing the board of trustees of school district number three of the town of New Lots, in the county of Kings, to issue bonds to the amount of \$10,000 to refund or pay a like amount of bonds issued by said board of trustees for the erection of a school-house in pursuance of chapter 191 of the Laws of 1870," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Curtis | Liddle | Sheridan |
| Andrews | Davis | Lindsay | Sherman |
| Baker, B. F. | Deane | McCabe | Sipp |
| Baker, C. S. | Douglass | McDonald | Sisson |
| Beach | Duell | Mead | Skinner |
| Beates | Duguid | Miller | Steele |
| Benedict, E. D. | Ellis | Mooers | Strait |
| Bradley | Evans | Morgan | Tallmadge |
| Brennan | Ferris | Newman | Terpeny |
| Brodaky | Fish | Parker | Thilemann |
| Bullock | Gibbs | Peck | Titus |
| Carpenter, I. S. | Gillette | Phillips | Tozier |
| Catlin | Gray | Pitcher | Travis |
| Chickering | Gwinup | Potter | Tuthill, H. H. |
| Childs | Havens | Potts | Tuttle, R. M. |
| Clark | Hayes | Rhodes | Warner |
| Clowes | Howland | Roberts | Waterbury |
| Cohen | Hurd | Russell | Wells, D. A. |
| Comstock | Ingersoll | Sanders | Wells, J. L. |
| Cookinham | Kennedy | Seeley | Weston |
| Crapser | Lefever | Shanley | Youngs |
| Cullinan | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Steele, from the committee on engrossed bills, reported ~~as~~ correctly engrossed the bill entitled as follows :

"An act in relation to the taxation of savings banks and institutions for savings."

The bill entitled "An act for the relief of Babette Stemmler," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }
{ NOES 2 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|----------------|
| Alvord | Cohen | Ingersoll | Sanders |
| Andrews | Cookinham | Kennedy | Seeley |
| Baker, B. F. | Costello | Lefever | Shanley |
| Baker, C. S. | Crapper | Liddle | Sherman |
| Beach | Cullinan | Lindsay | Shuit |
| Beates | Curtis | Low | Sisson |
| Benedict, E. D. | Davis | McCabe | Skinner |
| Benedict, T. E. | Deane | McDonald | Steele |
| Bradley | Douglass | Miller | Tallmadge |
| Brennan | Duell | Mitchell | Terpeny |
| Bridges | Duguid | Mooers | Terry |
| Brodsky | Evans | Morgan | Titus |
| Bullock | Ferris | Newman | Tozier |
| Carpenter, E. A. | Fish | Parker | Travis |
| Carpenter, I. S. | Gibbs | Peck | Tully |
| Catlin | Gillette | Phillips | Tuthill, H. H. |
| Chase | Gray | Pitcher | Walsh |
| Chickering | Gwinup | Potter | Waterbury |
| Childs | Hayes | Potts | Wells, J. L. |
| Clark | Howland | Root | Weston |
| Clowes | Hurd | Russell | Youngs |

Those who voted in the negative, were

Rhodes Warner

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to consolidate, amend and revise the charter of the village of Sing Sing, in the county of Westchester."

"An act to fix the salary of the town clerk and commissioner of highways of the town of Saugerties, Ulster county."

"An act permitting the common council of the city of Buffalo in its discretion to allow or disallow, in whole or in part, any claim or claims in abating certain nuisances by direction of the board of health of the city of Buffalo, in the years 1877 and 1878."

"An act to amend chapter 702 of the Laws of 1871, entitled 'An act relative to contracts for advertisements in newspapers published on Sunday.'"

"An act to incorporate the Grand Council of the Royal Arcanum of the State of New York."

"An act for the preservation of lobsters."

The bill entitled "An act in relation to the taxation of savings banks and institutions for savings," being announced for a third reading,

On motion of Mr. Steele, and by unanimous consent, said bill was amended in words following:

Strike out all after the word "sum" and insert the following: "Equal to one-half of one per cent of the whole amount of its deposits and surplus fund on the preceding first day of January, after deducting therefrom every single account of \$250, or less, provided the depositor thereof has no other deposit for his or her benefit in such bank."

Mr. Alvord moved to recommit said bill to the special committee on taxation with instructions to strike out the enacting clause.

After debate,

Mr. Congdon moved the previous question.

Mr. Speaker put the question "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the motion of Mr. Alvord, to strike out the enacting clause, and it was determined in the negative.

{ AYES 43 }
{ NOES 66 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Dougherty | McCarthy | Sipp |
| Andrews | Duell | McTernan | Strait |
| Baker, C. S. | Duguid | Mead | Thilemann |
| Brodsky | Fitzgerald | Morgan | Travis |
| Carpenter, E. A. | Gibbs | Newman | Tully |
| Catlin | Gray | O'Brien | Van Valkenburgh |
| Clancy | Hayes | Pitcher | Walsh |
| Cohen | Hurd | Potter | Waterbury |
| Congdon | Lefever | Potts | Youngs |
| Costello | Lindsay | Shanley | Mr. Speaker |
| Cushing | McAvoy | Sheridan | |

Those who voted in the negative, were

| | | | |
|------------------|-----------|----------|----------------|
| Baker, B. F. | Cookinham | Liddle | Sisson |
| Beach | Crapser | Low | Skinner |
| Beates | Cullinan | McDonald | Slingerland |
| Benedict, E. D. | Curtis | Miller | Steele |
| Benedict, T. E. | Davis | Mitchell | Tallmadge |
| Bradley | Douglass | Moors | Terpeny |
| Brennan | Ellis | Parker | Terry |
| Bridges | Evans | Peck | Titus |
| Bullock | Ferris | Rhodes | Tozier |
| Carpenter, H. S. | Fish | Roberts | Treanor |
| Case | Griggs | Root | Tuthill, H. H. |
| Chamberlain | Gwinup | Russell | Tuttle, R. M. |
| Chase | Hagan | Sanders | Varnum |
| Chickering | Havens | Seeley | Warner |
| Childs | Hoffman | Sherman | Wells, D. A. |
| Clark | Ingersoll | Shuit | Weston |
| Comstock | Kennedy | | |

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths of said members being present.

{ AYES 60 }
{ NOES 53 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|-----------|-------------|
| Baker, B. F. | Congdon | Havens | Sherman |
| Beach | Cookinham | Hoffman | Skinner |
| Beates | Crapser | Ingersoll | Slingerland |
| Benedict, T. E. | Cullinan | Kennedy | Steele |
| Bradley | Curtis | Low | Tallmadge |
| Brennan | Davis | Miller | Terpeny |
| Bridges | Douglass | Mitchell | Terry |
| Bullock | Ellis | Moors | Titus |

| | | | |
|------------------|--------|----------|----------------|
| Carpenter, I. S. | Evans | Parker | Tozier |
| Case | Ferris | Peck | Tuthill, H. H. |
| Chamberlain | Fish | Phillips | Tuttle, R. M. |
| Chickering | Fiske | Rhodes | Varnum |
| Childs | Gray | Root | Warner |
| Clark | Griggs | Sanders | Wells, D. A. |
| Comstock | Gwinup | Seeley | Weston |

Those who voted in the negative, were

| | | | |
|------------------|------------|----------|-------------|
| Alvord | Duell | McCarthy | Sheridan |
| Andrews | Duguid | McTernan | Shuit |
| Baker, C. S. | Fitzgerald | Mead | Sipp |
| Benedict, E. D. | Gibbs | Morgan | Sisson |
| Bennett | Gillette | Newman | Strait |
| Brodsky | Grosse | O'Brien | Travis |
| Carpenter, E. A. | Hagan | O'Connor | Treanor |
| Catlin | Hayes | Pitcher | Tully |
| Clancy | Hurd | Potter | Walsh |
| Cohen | Husted | Potts | Waterbury |
| Costello | Lefever | Roberts | Wren |
| Cushing | Lindsay | Russell | Younge |
| Deane | McAvoy | Shanley | Mr. Speaker |
| Dougherty | | | |

Mr. Steele moved to reconsider the vote by which said bill was lost, and that the motion do lay upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Terry moved to take from the table the motion to reconsider the vote by which Senate bill entitled "An act to amend chapter 290 of the Laws of 1879, entitled 'An act to amend chapter 149 of the Laws of 1874, entitled 'An act to amend an act, passed April 27, 1872, entitled 'An act to amend chapter 657 of the Laws of 1871, entitled 'An act to amend an act, passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes, passed April 20, 1871, and to legalize the formation and acts of certain corporations formed according to the provisions of chapter 374 of the Laws of 1877,'" was lost.

Mr. Speaker put the question whether the House would agree to take said motion from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 70 }
{ NOES 14 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Cullinan | Lefever | Strait |
| Baker, C. S. | Curtis | Liddle | Tallmadge |
| Beach | Davis | Low | Terpeny |
| Beates | Deane | McAvoy | Terry |
| Bridges | Dougherty | Mitchell | Titus |
| Brodsky | Douglass | Moore | Tozier |
| Bullock | Duell | Parker | Travis |
| Carpenter, E. A. | Duguid | Phillips | Tuthill, H. H. |
| Carpenter, I. S. | Evans | Potter | Tuttle, R. M. |
| Case | Ferris | Root | Van Valkenburgh |

| | | | |
|------------|-----------|-------------|--------------|
| Catlin | Fish | Russell | Varnum |
| Chase | Gillette | Seeley | Warner |
| Chickering | Hoffman | Shanley | Waterbury |
| Childs | Howland | Sisson | Wells, D. A. |
| Clowes | Hurd | Skinner | Wells, J. L. |
| Congdon | Husted | Slingerland | Weston |
| Cookinham | Ingersoll | Steele | Youngs |
| Crapser | Kennedy | | |

Those who voted in the negative, were

| | | | |
|-----------------|---------|----------|----------|
| Benedict, T. E. | Gibbs | McTernan | Sheridan |
| Clancy | Grosse | Morgan | Treanor |
| Cohen | Havens | Rhodes | Walsh |
| Fitzgerald | Lindsay | | |

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 73 }
{ NOES 7 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Curtis | Lefever | Skinner |
| Andrews | Deane | Liddle | Slingerland |
| Baker, B. F. | Dougherty | McAvoy | Steele |
| Baker, C. S. | Douglass | McCabe | Tallmadge |
| Beach | Duell | McCarthy | Terpeny |
| Beates | Duguid | Miller | Terry |
| Benedict, E. D. | Ferris | Mitchell | Titus |
| Bradley | Fish | Mooers | Tozier |
| Brennan | Fiske | O'Connor | Travis |
| Bridges | Fitzgerald | Parker | Tuthill, H. H. |
| Brodsky | Grosse | Pitcher | Van Valkenburgh |
| Carpenter, E. A. | Hayes | Potter | Walsh |
| Carpenter, I. S. | Hoffman | Root | Warner |
| Case | Howland | Russell | Waterbury |
| Childs | Hurd | Shanley | Wells, D. A. |
| Clowes | Husted | Sheridan | Wells, J. L. |
| Congdon | Ingersoll | Shuit | Weston |
| Cookinham | Kennedy | Sisson | Youngs |
| Crapser | | | |

Those who voted in the negative, were

| | | | |
|-------------|---------|--------|-------|
| Chamberlain | Lindsay | Rhodes | Tully |
| Gwinup | Morgan | Seeley | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act for the removal of the reservoir situated in the city of New York, between Fortieth and Forty-second streets," being announced for a third reading,

Mr. Mitchell moved to recommit said bill to the committee on cities, with instructions to strike out the enacting clause.

After debate,

Mr. Hayes moved the previous question.

Mr. Speaker put the question, "Shall the main question now be put?" and it was determined in the negative.

Mr. Brodsky moved to recommit said bill to the committee on affairs

of cities, with instructions to amend said bill in words following, and report forthwith:

Section 1, line 9, strike out the words "in a suitable manner for the purpose of a park."

Strike out the entire fourth and fifth sections, and insert as the fourth section the following:

"The ground from which the said reservoir structure is removed, as herein directed, except that portion thereof required to form the continuation of Forty-first street, in said city, shall be laid out in lots for building purposes, and the lots so laid out shall be sold by the commissioners of the sinking fund of said city at public auction, after due advertisement, to the highest bidder, on such terms and conditions as the said commissioners may determine to be for the best interests of the city, and the amounts realized from such sale shall be paid into the sinking fund, and applied to the redemption of the debt of the city of New York."

Mr. Husted moved the previous question.

Mr. Speaker put the question, "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the motion of Mr. Brodsky, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Mitchell, and it was determined in the negative.

{ AYES 40 }
{ NOES 61 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|------------|----------------|
| Baker, C. S. | Clark | Fish | Parker |
| Beach | Cornstock | Fitzgerald | Peck |
| Benedict, T. E. | Crapser | Grosse | Phillips |
| Bradley | Cullinan | Hoffman | Sherman |
| Brennan | Curtis | Howland | Skinner |
| Brodsky | Cushing | McAvoy | Slingerland |
| Bullock | Dougherty | McCarthy | Treanor |
| Carpenter, E. A. | Douglass | McDonald | Tuthill, H. H. |
| Chamberlain | Evans | Miller | Walsh |
| Childs | Ferris | Mitchell | Waterbury |

Those who voted in the negative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Gray | O'Brien | Strait |
| Andrews | Gwinup | O'Connor | Terry |
| Baker, B. F. | Hagan | Pitcher | Thilemann |
| Beates | Havens | Potter | Titus |
| Benedict, E. D. | Hayes | Potts | Tozier |
| Bennett | Husted | Rhodes | Travis |
| Carpenter, I. S. | Ingersoll | Root | Tuttle, R. M. |
| Case | Kennedy | Russell | Van Valkenburgh |
| Catlin | Liddle | Sanders | Varnum |
| Chickering | Lindsay | Seeley | Warner |
| Cohen | Low | Shanley | Wells, D. A. |
| Davis | McCabe | Sheridan | Wells, J. L. |
| Deane | Mooers | Shuit | Weston |
| Fiske | Morgan | Sisson | Wren |
| Gibbs | Newman | Steele | Youngs |
| Gillette | | | |

When the name of Mr. Duell was called, he stated that he was paired with Mr. Cookinham.

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the negative.

{ AYES 59 }
{ NOES 39 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Gray | O'Brien | Terry |
| Andrews | Hagan | O'Connor | Thilemann |
| Baker, B. F. | Havens | Pitcher | Titus |
| Beates | Hayes | Potter | Tozier |
| Bennett | Hurd | Potts | Travis |
| Carpenter, I. S. | Husted | Rhodes | Tuttle, R. M. |
| Catlin | Ingersoll | Root | Van Valkenburgh |
| Chase | Kennedy | Russell | Varnum |
| Chickering | Liddle | Sanders | Warner |
| Clowes | Lindsay | Seeley | Wells, D. A. |
| Cohen | Low | Shanley | Wells, J. L. |
| Davis | McCabe | Sheridan | Weston |
| Deane | Mooers | Shuit | Wren |
| Gibbs | Morgan | Sisson | Youngs |
| Gillette | Newman | Strait | |

Those who voted in the negative, were

| | | | |
|------------------|------------|----------|----------------|
| Beach | Comstock | Gwinup | Phillips |
| Benedict, T. E. | Crapsier | Hoffman | Sherman |
| Bradley | Cullinan | Howland | Skinner |
| Brennan | Curtis | McAvoy | Slingerland |
| Brodsky | Cushing | McCarthy | Steele |
| Carpenter, E. A. | Dougherty | McDonald | Treanor |
| Case | Douglass | Miller | Tuthill, H. H. |
| Chamberlain | Fish | Mitchell | Walsh |
| Childs | Fitzgerald | Parker | Waterbury |
| Clark | Grosse | Peck | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have non-concurred in the passage of the same.

At two o'clock and thirty minutes, the House took a recess until four P. M.

FOUR O'CLOCK, P. M.

The House again met.

Mr. Speaker directed the Clerk to call the roll of members and ascertain if a quorum was present, and the following members answered to their names :

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Davis | McDonald | Sipp |
| Beates | Deane | McTernan | Sisson |
| Benedict, T. E. | Douglass | Miller | Skinner |
| Bradley | Duell | Mooers | Slingerland |
| Bridges | Fiske | Morgan | Strait |
| Brodsky | Fitzgerald | Nowlan | Terpeny |
| Bullock | Gibbs | O'Connor | Thilemann |
| Carpenter, I. S. | Gwinup | Parker | Tormey |
| Case | Hagan | Peck | Tully |
| Chamberlain | Havens | Phillips | Tuthill, H. H. |
| Chickering | Hoffman | Pitcher | Tuttle, R. M. |

| | | | |
|----------|-----------|----------|-----------------|
| Childs | Hurd | Potts | Van Valkenburgh |
| Clancy | Ingersoll | Rhodes | Warner |
| Cohen | Lefever | Roberts | Waterbury |
| Costello | Liddle | Root | Wells, J. L. |
| Crapser | Low | Russell | Weston |
| Cullinan | McCabe | Shanley | Wren |
| Cushing | McCarthy | Sheridan | Mr. Speaker 72 |

A quorum being present.

By unanimous consent,

Mr. Shanley offered for the consideration of the House a resolution in the words following:

Resolved, That Assembly bill No. 714, general orders No. 850, entitled "An act for the better security of the public health and the prevention of nuisances in the county of New York," be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

A message was received from the Senate in words following:

IN SENATE, May 6, 1880.

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act in relation to the deposit of stocks in the Bank Department."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Pitts, and by unanimous consent, the same was amended as follows:

Strike out all after the words "is held," in line 19, engrossed bill, down to and including the word "assessments," in line 23, and insert in lieu thereof the following:

"The Superintendent of the Banking Department may, in his discretion, maintain an action in his name of office against any bank, banking association, or individual banker, for the recovery of any penalty incurred by or lawful assessments imposed upon any bank, banking association, or individual banker."

And as amended passed, and ordered sent to the Assembly for concurrence.

By order.

JOHN W. VROOMAN, *Clerk*.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|-----------------|----------|----------|-------------|
| Alvord | Crapser | Low | Sherman |
| Beach | Cushing | McCabe | Sipp |
| Beates | Davis | McCarthy | Sisson |
| Benedict, E. D. | Deane | McDonald | Skinner |
| Benedict, T. E. | Douglass | McTernan | Slingerland |
| Bradley | Duell | Miller | Steele |
| Bridges | Evans | Moors | Strait |
| Brodsky | Fish | Morgan | Tallmadge |

| | | | |
|------------------|------------|----------|-----------------|
| Bullock | Fiske | Nowlan | Terpeny |
| Carpenter, I. S. | Fitzgerald | O'Brien | Thilemann |
| Case | Gibbs | O'Connor | Tormey |
| Chamberlain | Gwinup | Parker | Tuthill, H. H. |
| Chase | Hagan | Peck | Tuttle, R. M. |
| Chickering | Havens | Phillips | Van Valkenburgh |
| Childs | Hoffman | Pitcher | Warner |
| Clancy | Hurd | Potts | Waterbury |
| Clowes | Ingersoll | Rhodes | Wells, J. L. |
| Cohen | Kennedy | Roberts | Weston |
| Comstock | Lefever | Root | Wren |
| Cookinham | Liddle | Russell | Youngs |
| Costello | Lindsay | Shanley | |

Those who voted in the negative, were

Walsh

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Cushing | Low | Sherman |
| Beach | Davis | McCabe | Sipp |
| Beates | Deane | McCarthy | Sisson |
| Benedict, E. D. | Douglass | McDonald | Skinner |
| Benedict, T. E. | Duell | Miller | Slingerland |
| Bradley | Ferris | Moors | Steele |
| Bridges | Fish | Morgan | Strait |
| Brodsky | Fiske | Newman | Tallmadge |
| Bullock | Fitzgerald | Nowlan | Terpeny |
| Carpenter, E. A. | Gibbs | O'Connor | Terry |
| Carpenter, I. S. | Gwinup | Parker | Titus |
| Case | Hagan | Peck | Tully |
| Catlin | Havens | Phillips | Tuthill, H. H. |
| Chamberlain | Hoffman | Pitcher | Tuttle, R. M. |
| Chase | Howland | Potts | Van Valkenburgh |
| Childs | Hurd | Rhodes | Warner |
| Clancy | Ingersoll | Roberts | Waterbury |
| Clowes | Kennedy | Root | Wells, J. L. |
| Cohen | Lefever | Russell | Weston |
| Cookinham | Liddle | Sanders | Wren |
| Costello | Lindsay | Shanley | Youngs |
| Crapser | | | |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate sent for concurrence the bill entitled "An act authorizing individuals, joint-stock associations or corporations engaged in the manufacture of railroad cars to lay down and maintain railroad tracks connecting their manufacturing establishments with existing railroads."

On motion of Mr. Rhodes, and by unanimous consent, said bill was substituted for Assembly bill No. 749, now on general orders.

On motion of Mr. Liddle, and by unanimous consent, the committee of the whole was discharged from the further consideration of said bill, and the same was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Davis | McTernan | Sipp |
| Andrews | Deane | Miller | Sisson |
| Beach | Douglass | Mitchell | Skinner |
| Beates | Duell | Mooers | Slingerland |
| Benedict, E. D. | Evans | Morgan | Steele |
| Bradley | Ferris | Newman | Strait |
| Bridges | Fish | Nowlan | Tallmadge |
| Brodsky | Fitzgerald | O'Connor | Terpeny |
| Bullock | Gibbs | Parker | Terry |
| Carpenter, I. S. | Gwinup | Peck | Thilemann |
| Case | Hagan | Phillips | Titus |
| Catlin | Hoffman | Pitcher | Tormey |
| Chase | Howland | Potts | Tozier |
| Chickering | Hurd | Rhodes | Tully |
| Childs | Ingersoll | Roberts | Tunthill, H. H. |
| Clancy | Kennedy | Root | Tuttle, R. M. |
| Clowes | Lefever | Russell | Warner |
| Cohen | Liddle | Sanders | Waterbury |
| Cookinham | Lindsay | Seeley | Wells, J. L. |
| Costello | McCabe | Shanley | Weston |
| Crapser | McCarthy | Sherman | Wren |
| Cushing | McDonald | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Terry offered for the consideration of the House a resolution in the words following :

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return of Assembly bill No. 193, general orders No. 210, entitled "An act to establish and maintain a police force in the city of Troy," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate sent for concurrence the following bills:

"An act to alter the map or plan of the city of New York, by providing for the reopening, extension and opening of a part of Bloomingdale road," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to require life insurance companies to attach a copy of all applications for insurance to policies issued by such companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

"An act in relation to the grading of sidewalks and the laying of flagwalks in front of certain lots on Fourth avenue in the late village of West Mount Vernon, now a part of the village of Mount Vernon,

in the county of Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act defining the powers and duties of the Superintendent of Public Works," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

On motion of Mr. Hurd, and by unanimous consent, said bill was substituted for Assembly bill No. 718.

"An act relating to the Central New York Institution for Deaf Mutes at Rome, New York," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Cookinham, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Cullinan | Lindsay | Sipp |
| Andrews | Curtis | Low | Sisson |
| Baker, B. F. | Cushing | McCabe | Skinner |
| Beach | Davis | McDonald | Slingerland |
| Beates | Deane | Mead | Steele |
| Benedict, E. D. | Douglass | Miller | Strait |
| Benedict, T. E. | Duell | Moers | Tallmadge |
| Bradley | Evans | Morgan | Terpeny |
| Brennan | Ferris | Newman | Terry |
| Bridges | Fish | Nowlan | Thilemann |
| Brodaky | Fiske | O'Connor | Titus |
| Bullock | Fitzgerald | Parker | Tozier |
| Carpenter, E. A. | Griggs | Peck | Tully |
| Carpenter, I. S. | Gwinup | Phillips | Tuthill, H. H. |
| Case | Hagan | Pitcher | Tuttle, R. M. |
| Catlin | Havens | Potts | Varnum |
| Childs | Hoffman | Rhodes | Warner |
| Clark | Howland | Roberts | Waterbury |
| Clowes | Hurd | Root | Wells, J. L. |
| Congdon | Ingersoll | Sanders | Weston |
| Cookinham | Kennedy | Seeley | Wren |
| Costello | Lefever | Sheridan | Youngs |
| Crapser | Liddle | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence the following bills:

"An act to amend section 24 of article 1 of title 1 of chapter 15 of part 1 of the Revised Statutes, relating to the organization and powers of the Board of Regents," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

"Concurrent resolution proposing an amendment to section 12 of article 6 of the Constitution," which was read the first time, and by

unanimous consent was also read the second time, and referred to the committee on the judiciary.

"Concurrent resolution proposing an amendment to article 6 of the Constitution," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Tozier offered for the consideration of the House a resolution in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of Senate bill general orders No. 896, entitled "An act amending the act incorporating the village of Attica;" also, Senate bill general orders No. 784, entitled "An act authorizing the sale of the burial ground in the village of Attica," and that said bills be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

In accordance with a resolution of the Assembly of May 5, 1880, the Senate returned Assembly bill entitled "An act to provide for payment of a salary to the county clerks of Richmond and Franklin counties, in lieu of all charges now made against said county," for amendment.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Congdon | Liddle | Shanley |
| Andrews | Cookinham | Lindsay | Sherman |
| Baker, B. F. | Crapser | Low | Sipp |
| Baker, C. S. | Cullinan | McCabe | Sisson |
| Beates | Curtis | McDonald | Skinner |
| Benedict, E. D. | Davis | Mead | Slingerland |
| Benedict, T. E. | Deane | Miller | Steele |
| Bradley | Douglas | Mooers | Tallmadge |
| Brennan | Ferris | Morgan | Terpeny |
| Bridges | Fish | Newman | Thilemann |
| Brodsky | Fiske | Nowlan | Titus |
| Bullock | Fitzgerald | O'Brien | Tozier |
| Carpenter, E. A. | Griggs | Parker | Tully |
| Carpenter, I. S. | Gwinup | Peck | Tuthill, H. H. |
| Case | Havens | Phillips | Tuttle, R. M. |
| Catlin | Hoffman | Pitcher | Warner |
| Chamberlain | Howland | Rhodes | Waterbury |
| Chase | Hurd | Roberts | Wells, J. L. |
| Childs | Ingersoll | Root | Weston |
| Clark | Kennedy | Russell | Wren |
| Clowes | Lefever | Sanders | |

Mr. Brennan moved to substitute Senate bill No. 389 for said bill, in words following:

Section 1. In each of the counties of Richmond and Franklin, the board of supervisors thereof is hereby authorized and empowered to

fix the salary of the county clerk of such county for all services performed by him as such clerk for such counties, and said board is directed annually to cause to be assessed and collected upon the taxable property of such county a sum sufficient for the payment of said salary, and such salary, when so fixed, shall be in lieu of all fees now paid said clerk by such county, for such services rendered said county.

§ 2. This act shall take effect immediately, but the compensation of the clerk now in office shall not be fixed by said board unless such clerk shall notify the board of supervisors of his county that he consents to have his compensation fixed as provided herein.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Crapser | Kennedy | Seeley |
| Andrews | Cullinan | Lefever | Shanley |
| Baker, B. F. | Curtis | Liddle | Sipp |
| Baker, C. S. | Cushing | Lindsay | Sisson |
| Beach | Davis | Low | Skinner |
| Beates | Deane | McAvoy | Slingerland |
| Benedict, E. D. | Dougherty | McCabe | Steele |
| Brennan | Duell | McDonald | Terpeny |
| Bridges | Duguid | McTernan | Terry |
| Brodsky | Ferris | Mead | Titus |
| Carpenter, E. A. | Fish | Miller | Tozier |
| Carpenter, I. S. | Fiske | Moore | Tully |
| Case | Gibbs | Nowlan | Tuthill, H. H. |
| Catlin | Gray | Parker | Tuttle, R. M. |
| Chickering | Griggs | Peck | Varnum |
| Childs | Grosse | Potts | Warner |
| Clark | Gwinup | Rhodes | Waterbury |
| Clowes | Hagan | Roberts | Wells, J. L. |
| Cohen | Hoffman | Root | Weston |
| Cookinham | Howland | Russell | Wren |
| Costello | Ingersoll | Sanders | |

Those who voted in the negative, were

Pitcher

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Speaker announced as the conference committee on Senate bill No. 328, entitled "An act further to regulate the admission to this State of fire insurance companies from other countries than the United States," Messrs. Tallmadge, of Kings; Steele, of Oswego; Russell, of Kings; Sanders, of Genesee, and Catlin, of Westchester.

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have appointed a conference committee thereon.

The Senate returned Assembly bill entitled "An act to amend sub-

division 1 of section 9 of article 2, title 4, chapter 6, part 1 of the Revised Statutes, in relation to elections and ballots," with a message that they have concurred in the passage of the same, with the following amendments :

Section 1. Strike out all after the word "follows," in line 4, down to and including the word "inhabitants" in line 18, and insert the following:

"1. The names of all the persons voted for by any electors at any election, excepting electors of President and Vice-President, chief and associate judges of the Court of Appeals, justice of the Supreme Court, county judges, separate officers to perform the duties of the office of surrogates and local officers to discharge the duties of county judge and surrogate, representatives in Congress, Senators, members of Assembly and school commissioners."

Line 21, before the word "judges," insert "chief and associate;" line 24, strike out the word "perform" and insert "discharge;" line 26, strike out the word "and" and insert "but in every county (except the county of New York) containing a city of more than two hundred thousand inhabitants;" same line, after the word "all" insert "the;" in lines 29, 30 and 31 strike out the word "of" whenever it occurs; line 32, strike out "as herein provided."

Section 2, lines 13 and 14, strike out "in the proper counties;" strike out all of section 3, and make "section 4" "section 3;" amend the title so as to read as follows:

"An act to amend title 4, chapter 6, part 1 of the Revised Statutes, entitled 'of the manner of conducting elections.'"

Mr. Varnum moved that the Assembly do non-concur in the amendments made in the Senate to said bill, and that a conference committee be appointed on the part of the House, and request a like committee on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Weston introduced a bill entitled "An act to authorize the investment of moneys applicable to the redemption and payment of bonds of the town of Westchester, Essex county, New York, on real estate security," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Weston, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Alvord introduced a bill entitled "An act to amend chapter 36 of the Laws of 1873, entitled 'An act to provide for a supply of water in the city of Yonkers,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Alvord, and by unanimous consent, said bill was ordered to a third reading.

Mr. E. D. Benedict moved to lay all order of business on the table, at five o'clock and thirty minutes, and take up order of business introduction of bills.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Varnum moved to reconsider the vote by which Senate bill No.

121, in reference to the removal of the reservoir in the city of New York was lost, and that the motion do lay upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Pursuant to the ninth joint rule, Mr. Speaker announced the order of business, third reading of bills.

The bill entitled "An act to consolidate, amend and revise the charter of the village of Sing Sing, in the county of Westchester," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Cullinan | Liddle | Sherman |
| Andrews | Curtis | Lindsay | Shuit |
| Baker, B. F. | Davis | Low | Sipp |
| Baker, C. S. | Dougherty | McAvoy | Sisson |
| Beach | Douglass | McCarthy | Skinner |
| Beates | Duell | McTernan | Slingerland |
| Benedict, E. D. | Duguid | Mead | Steele |
| Benedict, T. E. | Evans | Moors | Tallmadge |
| Bradley | Ferris | Morgan | Terpeny |
| Brennan | Fish | Nowlan | Titus |
| Bridges | Fiske | O'Brien | Tozier |
| Brodsky | Gillette | Parker | Tully |
| Carpenter, I. S. | Gray | Peck | Tuthill, H. H. |
| Case | Griggs | Phillips | Tuttle, R. M. |
| Catlin | Havens | Potts | Van Valkenburgh |
| Chase | Hoffman | Roberts | Varnum |
| Childs | Howland | Root | Warner |
| Clark | Hurd | Russell | Waterbury |
| Clowes | Ingersoll | Seeley | Wells, J. L. |
| Congdon | Kennedy | Shanley | Weston |
| Cookinham | Lefever | Sheridan | Wren |
| Costello | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Costello stated that he was absent during the consideration of the Senate bill in relation to the removal of the reservoir in the city of New York. Had he been present he would have voted in the negative.

The bill entitled "An act to fix the salary of the town clerk and commissioner of highways of the town of Saugerties, Ulster county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 76 }
{ NOES 9 }

Those who voted in the affirmative, were

| | | | |
|--------------|---------|-----------|---------|
| Alvord | Curtis | Ingersoll | Sanders |
| Baker, B. F. | Cushing | Lefever | Seeley |

| | | | |
|------------------|-----------|----------|----------------|
| Baker, C. S. | Davis | Liddle | Sheridan |
| Beach | Deane | Lindsay | Sherman |
| Beates | Dougherty | Low | Sipp |
| Benedict, E. D. | Douglass | McAvoy | Sisson |
| Bradley | Duell | McCabe | Skinner |
| Bridges | Duguid | McTernan | Slingerland |
| Brodsky | Evans | Miller | Steele |
| Bullock | Ferris | Mooers | Tallmadge |
| Carpenter, I. S. | Fish | Newman | Terpeny |
| Catlin | Fiske | Nowlan | Titus |
| Chamberlain | Gibbs | Parker | Travis |
| Chase | Gray | Peck | Tuthill, H. H. |
| Chickering | Griggs | Phillips | Tuttle, R. M. |
| Childs | Gwinup | Potts | Warner |
| Clark | Hoffman | Roberts | Waterbury |
| Clowes | Howland | Root | Wells, J. L. |
| Congdon | Hurd | Russell | Mr. Speaker |

Those who voted in the negative, were

| | | | |
|----------|---------|----------|-----------------|
| Andrews | Grosse | McDonald | Van Valkenburgh |
| Crapser | Kennedy | Morgan | Weston |
| Cullinan | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act permitting the common council of the city of Buffalo, in its discretion, to allow or disallow, in whole or in part, any claim or claims in abating certain nuisances by direction of the board of health of the city of Buffalo in the years 1877 and 1878," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|---------------|
| Alvord | Cohen | Hurd | Russell |
| Andrews | Congdon | Ingersoll | Seeley |
| Baker, B. F. | Cookinham | Kennedy | Shanley |
| Baker, C. S. | Costello | Lefever | Sherman |
| Beach | Crapser | Liddle | Skinner |
| Beates | Cullinan | Low | Slingerland |
| Benedict, E. D. | Curtis | McAvoy | Terpeny |
| Brennan | Davis | McCabe | Terry |
| Bridges | Deane | Mead | Titus |
| Brodsky | Douglass | Miller | Travis |
| Bullock | Duguid | Mooers | Tully |
| Carpenter, I. S. | Evans | Morgan | Tuttle, R. M. |
| Case | Ferris | Newman | Walsh |
| Catlin | Fiske | Nowlan | Warner |
| Chamberlain | Fitzgerald | O'Connor | Waterbury |
| Chase | Gibbs | Parker | Wells, D. A. |
| Chickering | Gillette | Peck | Wells, J. L. |
| Childs | Grosse | Phillips | Weston |
| Clark | Hoffman | Potts | Wren |
| Clowes | Howland | Root | Youngs |

Those who voted in the negative, were

Sipp

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the opening, regulating and grading of 126th and 127th streets in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }
{ NOES 2 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|-----------------|
| Alvord | Cohen | Hurd | Seeley |
| Andrews | Congdon | Ingersoll | Sheridan |
| Baker, B. F. | Costello | Kennedy | Shuit |
| Baker, C. S. | Crapser | Lefever | Sisson |
| Beach | Curtis | Liddle | Skinner |
| Beates | Cushing | Lindsay | Slingerland |
| Benedict, E. D. | Davis | McAvoy | Steele |
| Benedict, T. E. | Deane | McCabe | Terpeny |
| Bridges | Dougherty | McCarthy | Terry |
| Brodskey | Douglass | Mead | Titus |
| Bullock | Duguid | Miller | Tozier |
| Carpenter, E. A. | Evans | Moders | Travis |
| Carpenter, I. S. | Ferris | Morgan | Tuthill, H. H. |
| Case | Fish | Peck | Tuttle, R. M. |
| Catlin | Gillette | Phillips | Van Valkenburgh |
| Chamberlain | Griggs | Pitcher | Walsh |
| Chase | Grosse | Potts | Warner |
| Chickering | Havens | Roberts | Waterbury |
| Childs | Hayes | Root | Wells, J. L. |
| Clark | Hoffman | Russell | Wren |
| Clowes | Howland | Sanders | |

Those who voted in the negative, were

Fitzgerald McDonald

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 702 of the Laws of 1871, entitled 'An act relative to contracts for advertisements in newspapers published on Sunday,'" being announced for a third reading,

Mr. Cookinham moved to refer said bill back to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Weston moved to recommit said bill to the committee on the judiciary, with instructions to strike out the enacting clause.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 69 }
{ NOES 28 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|--------------|
| Alvord | Cushing | Lefever | Sipp |
| Baker, B. F. | Dougherty | Liddle | Sisson |
| Baker, C. S. | Ellis | Lindsay | Skinner |
| Benedict, E. D. | Ferris | Low | Slingerland |
| Benedict, T. E. | Fish | McAvoy | Steele |
| Bradley | Fiske | McCarthy | Strait |
| Brodsky | Fitzgerald | McDonald | Terpeny |
| Carpenter, E. A. | Gibbs | McTernan | Terry |
| Catlin | Gillette | Miller | Thilemann |
| Chase | Gray | Newman | Titus |
| Clancy | Griggs | Parker | Tormey |
| Clark | Grosse | Peck | Treanor |
| Clowes | Hayes | Pitcher | Tully |
| Cohen | Howland | Rhodes | Varnum |
| Cornstock | Hurd | Russell | Walsh |
| Costello | Husted | Sheridan | Warner |
| Crapser | Ingersoll | Sherman | Wells, J. L. |
| Cullinan | | | |

Those who voted in the negative, were

| | | | |
|------------------|-----------|----------|---------------|
| Bridges | Cookinham | Kennedy | Root |
| Bullock | Curtis | McCabe | Seeley |
| Carpenter, I. S. | Davis | Mooers | Tozier |
| Case | Douglass | Morgan | Tuttle, R. M. |
| Chamberlain | Gwinup | Nowlan | Waterbury |
| Chickering | Havens | Phillips | Wren |
| Childs | Hoffman | Potts | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. C. S. Baker in the chair.

The bill entitled "An act to authorize the selection, location and appropriation of certain lands in the village of Niagara Falls for a State reservation, and to preserve the scenery of the falls of Niagara," being announced for a third reading.

Mr. Low moved to recommit said bill to the committee on ways and means, with instructions to amend said bill in words following:

Section 15, line 1, engrossed bill, strike out the word "ten" and insert "five."

Mr. Cullinan moved to further instruct said committee to amend said bill in words following:

Section 16. It is hereby declared that no appropriation shall be hereafter made for the purposes of acquiring title to the lands to be located by this act, or for any purpose, unless the question of said appropriation shall be submitted to a vote of the People of this State, and a majority of those voting being in favor of said proposed appropriation.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Cullinan, and it was determined in the negative.

{ AYES 40 }
{ NOES 67 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|----------|---------|
| Benedict, T. E. | Curtis | McAvoy | Sanders |
| Bennett | Cushing | McDonald | Shuit |
| Bridges | Dougherty | McTernan | Skinner |

| | | | |
|-------------|------------|---------|----------------|
| Case | Ferris | Miller | Slingerland |
| Chamberlain | Fitzgerald | Morgan | Steele |
| Chase | Gibbs | Newman | Thilemann |
| Clancy | Gray | Nowlan | Tozier |
| Clark | Griggs | Peck | Tully |
| Cohen | Gwinup | Rhodes | Tuthill, H. H. |
| Cullinan | Hoffman | Russell | Walsh |

Those who voted in the negative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Deane | Low | Terpeny |
| Andrews | Douglass | McCarthy | Terry |
| Baker, B. F. | Duguid | Mitchell | Titus |
| Baker, C. S. | Evans | Mooers | Tormey |
| Beach | Fish | Parker | Travis |
| Bradley | Fiske | Phillips | Treanor |
| Brennan | Gillette | Pitcher | Tuttle, R. M. |
| Bullock | Grosse | Potts | Van Valkenburgh |
| Carpenter, E. A. | Havens | Roberts | Varnum |
| Carpenter, I. S. | Hayes | Root | Warner |
| Catlin | Howland | Seeley | Waterbury |
| Childs | Hurd | Shanley | Wells, J. L. |
| Clowes | Husted | Sheridan | Weston |
| Congdon | Ingersoll | Sherman | Wren |
| Cookinham | Kennedy | Sipp | Youngs |
| Grapsen | Liddle | Sisson | Mr. Speaker |
| Davis | Lindsay | Strait | |

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Low, and it was determined in the affirmative.

Mr. Husted, from the committee on ways and means, reported said bill back to the House, amended as instructed.

Mr. Sharpe moved the previous question.

Mr. Speaker put the question "Shall the main question now be put?" and it was determined in the affirmative.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 65 }
{ NOES 49 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Davis | Lindsay | Sherman |
| Andrews | Deane | Low | Shuit |
| Baker, B. F. | Douglass | McCabe | Sipp |
| Baker, C. S. | Duell | Miller | Tallmadge |
| Bradley | Duguid | Mitchell | Terpeny |
| Brennan | Fiske | Mooers | Terry |
| Brodsky | Gillette | Morgan | Titus |
| Bullock | Griggs | O'Brien | Tuttle, R. M. |
| Carpenter, E. A. | Grosse | Phillips | Van Valkenburgh |
| Carpenter, I. S. | Hayes | Pitcher | Varnum |
| Catlin | Hurd | Potts | Waterbury |
| Chamberlain | Husted | Roberts | Wells, J. L. |
| Chickering | Ingersoll | Root | Weston |
| Clark | Kennedy | Russell | Wren |
| Clowes | Lefever | Seeley | Youngs |
| Congdon | Liddle | Shanley | Mr. Speaker |
| Cookinham | | | |

Those who voted in the negative, were

| | | | |
|-----------------|------------|----------|----------------|
| Beach | Curtis | Howland | Skinner |
| Beates | Cushing | McAvoy | Slingerland |
| Benedict, E. D. | Dougherty | McCarthy | Steele |
| Benedict, T. E. | Evans | McDonald | Strait |
| Bridges | Ferris | McTernan | Thilemann |
| Case | Fish | Newman | Tormey |
| Chase | Fitzgerald | Nowlan | Tozier |
| Childs | Gibbs | Parker | Travis |
| Clancy | Gray | Peck | Treanor |
| Cohen | Gwinup | Rhodes | Tully |
| Costello | Havens | Sanders | Tuthill, H. H. |
| Crapeer | Hoffman | Sheridan | Walsh |
| Cullinan | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the following bills :

"An act to further amend chapter 40 of the Laws of 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' and the several acts amendatory thereof.

"An act to incorporate the Holstein Breeders Association of America."

"An act to incorporate the Grand Lodge Knights of Honor of the State of New York."

"An act to confirm the official acts of James S. Williams, Endelmer E. Moon and Theodore S. Cowles, commissioners of excise in and for the town of Tully, in the county of Onondaga."

"An act to provide for the payment of certain work executed in connection with the construction of the outlet sewer in East Forty-second street in the city of New York."

The Senate returned Assembly resolution requesting the return of Assembly bill No. 247, entitled "An act to authorize the construction of a lift or swing bridge over the Erie canal at Brockport," for amendment, with a message that they have concurred in the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned Assembly bill entitled "An act to amend chapter 435 of the Laws of 1868, entitled 'An act to incorporate the village of Hamilton, in the county of Madison, and to repeal its present charter, as amended by chapter 166 of the Laws of 1877, and by chapter 19 of the Laws of 1878,' with a message that they reconsidered the vote on the final passage of said bill, and, as amended, passed the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Varnum moved that the time of the session be extended for one-half hour, for the introduction of bills.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Hoffman introduced a bill entitled "An act to authorize the bridge commissioners of the town of Chemung to borrow money to pay the existing indebtedness incurred in building a bridge over the Chemung river, in the town of Chemung, in the county of Chemung," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Brennan introduced a bill entitled "An act to amend chapter 444 of the Laws of 1876, entitled 'An act to establish a State board of audit, and to define its powers and duties,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Newman introduced a bill entitled "An act to provide for the payment of certain awards for the widening of Prospect avenue, in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act to authorize the payment of certain awards for damages caused by a change of grade on Prospect avenue, in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. E. D. Benedict introduced a bill entitled "An act to repeal chapter 444 of the Laws of 1876, passed June 2, 1876, to establish a State board of audit, and define its powers and duties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to provide for the safety of railroad passengers crossing Coney Island creek," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Shanley introduced a bill entitled "An act in relation to highways of this State of certain width," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Shanley, and by unanimous consent, said bill was ordered to a third reading.

Mr. Sheridan introduced a bill entitled "An act for the relief of Patrick Duff, administrator of the estate of Francis H. Duff," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Chamberlain, in behalf of Mr. Russell, introduced a bill entitled "An act in relation to cleaning the streets, sewers and sewer basins in, and removing ashes, garbage, night-soil, dead animals, and other refuse matter from the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. McCarthy introduced a bill entitled "An act allowing actions brought in the marine court of the city of New York against the mayor, aldermen and commonalty of the city of New York, to be discontinued and recommenced in any court of competent jurisdiction, and the time in which the same may be brought," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Thilemann introduced a bill entitled "An act to amend an act entitled 'An act in relation to the improvement of First avenue in the city of New York,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Thilemann said bill was referred to the sub-committee of the whole.

Mr. Brodsky introduced a bill entitled "An act to provide for the repavement of a part of Fifth avenue in the city of New York," which

was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act to establish a voluntary savings fund for the benefit of the police department, and force of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. McDonald introduced a bill entitled "An act to further amend an act entitled 'An act requiring mortgages of personal property to be filed in the town clerks' and other offices, passed April 29, 1833, and amended May 13, 1873,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Cohen introduced a bill entitled "An act regulating the operation and management of passenger and other elevators," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Case introduced a bill entitled "An act to establish the boundaries of the village of Victor, in the county of Ontario," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Case, said bill was ordered engrossed to a third reading.

Mr. Bridges introduced a bill entitled "An act to legalize the official acts of Henry G. Wood as notary public," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Cullinan introduced a bill entitled "An act to authorize the city of Oswego to use or apply the proceeds, or any part thereof, of the sale of the stock of said city in the New York and Oswego Midland Railroad Company, to any indebtedness against said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. E. A. Carpenter introduced a bill entitled "An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Bradley introduced a bill entitled "An act releasing all the right, title and interest of the People of the State of New York in and to certain tracts or parcels of land to Peter M. Biegen," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Bradley, and by unanimous consent, said bill was ordered to a third reading.

Mr. Alvord moved that this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Tozier, from the committee on general laws, to which was referred the bill introduced by Mr. Fiske (introductory No. 1149), entitled "An act to amend an act, chapter 681 of the Laws of 1873, entitled 'An act to establish communication between Richmond county and New Jersey, incorporating the Tubular Transit Company of Staten Island,'" reported in favor of the passage of the same, which

report was agreed to and said bill committed to the committee of the whole.

Mr. Tozier, from the committee on general laws, to which was referred the Senate bill (introductory No. 491), entitled "An act for the protection of corporations organized for generating and distributing steam for heating and other purposes," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Thilemann (introductory No. 947), entitled "An act for the relief of Thomas Duffy, who performed the duty and rendered services as clerk of the seventh judicial district court, in the city of New York, during part of the year 1879," reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Fitzgerald (introductory No. 1158), entitled "An act to provide for the rebuilding of Fulton market in the city of New York," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 242), entitled "An act to provide for the adjustment and settlement of claims of interest, on payments made by the mayor, aldermen and commonalty of the city of New York, on certain contracts for works of local improvements in said city," reported in favor of the passage of the same, with amendments, and the title amended so as to read as follows: "An act relating to certain local improvements in the city of New York," which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. J. L. Wells, and by unanimous consent, said bill was ordered to a third reading.

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 254), entitled "An act to provide for supplying the city of Kingston with pure and wholesome water," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Varnum (introductory No. 827), entitled "An act to amend chapter 335 of the Laws of 1873, entitled 'An act to reorganize the local government of the city of New York, and reduce the burden of taxes to be levied in said city,'" reported in favor of the passage of the same, with amendments, and with the title amended so as to read as follows: "An act to provide for filling certain vacant offices in the city of New York," which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum gave notice that he would, at some future day, move to suspend Rules 25, 39, 41, 42 and 43, for the purpose of moving to order Assembly bill introductory No. 827, entitled "An act to provide for filling certain vacant offices in the city of New York," to a third reading, without being considered in the committee of the whole, and to have said bill read for a third time out of its regular order.

Mr. Evans, from the committee on internal affairs, to which was

referred the bill introduced by Mr. E. A. Carpenter (introductory No. 1034), entitled "An act to authorize the supervisor of the town of Southampton, Suffolk county, to acquire landing places in said town," reported in favor of the passage of the same, with amendment, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. C. S. Baker (introductory No. 1152), entitled "An act to further amend the act entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors,'" reported adversely thereto, which report was agreed to.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Dougherty (introductory No. 625), entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" to report complete at any time, reported in favor of the passage of the same, with amendment, which report was agreed to.

Mr. Evans, from the committee on internal affairs, to which was referred the Senate bill (introductory No. 259), entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of legislation and administration, and to regulate the compensation of supervisors,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the Senate bill (introductory No. 225), entitled "An act to repeal chapter 257 of the Laws of 1863, entitled 'An act in relation to draining certain low lands, situate in the towns of Bloomingrove and Chester, in the county of Orange,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the Senate bill (introductory No. 266), entitled "An act to amend chapter 217 of the Laws of 1865, entitled 'An act to establish the office of receiver of taxes and assessments in the town of East Chester, in the county of Westchester, New York,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the Senate bill (introductory No. 274), entitled "An act in relation to drains, ditches and water channels, constructed before the year 1872, for draining swamps, marshes and other low lands," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Van Valkenburgh, from the committee on banks, to which was referred the bill introduced by Mr. Cohen (introductory No. 497), entitled "An act for the better security to depositors in savings and other banking institutions," reported adversely thereto, which report was agreed to.

Mr. Weston, from the committee on roads and bridges, to which was referred the Senate bill (introductory No. 384), entitled "An act to improve Jackson avenue in Long Island City," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Chickering, from the committee on game laws, to which was referred the bill introduced by Mr. Grosse (introductory No. 1088), entitled "An act to amend chapter 534, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Bridges, from the committee on public printing, to which was referred the resolution to print copies of the new Civil List, reported in favor of the adoption of the following resolution :

Resolved (if the Senate concur), That there be printed for each member of this Legislature ten copies of the new Civil List, and also one copy for each officer and reporter of the Senate and Assembly, the price of the same not to exceed \$2.50 per copy.

On motion of Mr. Bridges, and by unanimous consent, said report was laid over until to-morrow morning for consideration.

Mr. Shuit, from the committee on State prisons, to which was referred the bill introduced by Mr. Benedict (introductory No. 1153), entitled "An act to secure to inmates of reformatory institutions freedom of worship," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Shuit, from the committee on State prisons, to which was referred the bill introduced by Mr. Duguid (introductory No. 1076), entitled "An act to institute a State board of correction and pardons, and county boards of correction," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Alvord, and at six o'clock and thirty-five minutes, the House adjourned.

FRIDAY MORNING, MAY 7, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Holmes.

The journal of yesterday was read and approved.

Privileges of the floor were granted to Hon. Mr. Shannon.

Mr. Bradley offered for the consideration of the House a privileged resolution in the words following :

Resolved, That when this House adjourns to-day, it will adjourn to meet on Monday evening at eight o'clock.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

{ AYES 53 }
{ NOES 31 }

Those who voted in the affirmative, were

| | | | |
|------------------|--------|---------|-----------|
| Andrews | Duguid | Mead | Sipp |
| Benedict, E. D. | Evans | Newman | Steele |
| Benpett | Ferris | Parker | Tallmadge |
| Bradley | Gibbs | Peck | Titus |
| Brennan | Gray | Pitcher | Tozier |
| Carpenter, I. S. | Hagan | Potts | Travis |

| | | | |
|-----------|----------|----------|----------------|
| Childs | Havens | Rhodes | Treanor |
| Clancy | Hoffman | Root | Tully |
| Clowes | Lindsay | Sanders | Tuthill, H. H. |
| Cohen | Low | Seeley | Waterbury |
| Cookinham | McAvoy | Sheridan | Wells, J. L. |
| Cushing | McCabe | Sherman | Wiley |
| Deane | McTernan | Shuit | Wren |
| Dougherty | | | |

Those who voted in the negative, were

| | | | |
|-----------------|----------|----------|---------------|
| Alvord | Costello | Husted | Roberts |
| Baker, B. F. | Crapser | Kennedy | Shanley |
| Benedict, T. E. | Curtis | Liddle | Sisson |
| Bridges | Davis | Miller | Skinner |
| Brodsky | Fiske | Mooers | Terpeny |
| Bullock | Gwinup | Nowlan | Tuttle, R. M. |
| Chickering | Hayes | O'Brien | Varnum |
| Congdon | Hurd | Phillips | |

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Beach (introductory No. 1143), entitled "An act to amend chapter 774 of the Laws of 1872, entitled 'An act to incorporate the village of Watkins,'" reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Beach, and by unanimous consent, said bill was ordered to a third reading.

Mr. Sanders, from the committee on affairs of villages, to which was referred the Senate bill (introductory No. 479) entitled "An act to amend chapter 157 of the Laws of 1844, entitled 'An act to incorporate the village of Mohawk,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sanders, from the committee on affairs of villages, to which was referred the Senate bill (introductory No. 615) entitled "An act authorizing the board of trustees of the village of Danforth to issue bonds for the purpose of building a school-house in said village, pursuant to a vote of its citizens at a special election held April 10, 1870," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Bridges called from the table the resolution in words following:

Resolved (if the Senate concur), That there be printed for each member of this Legislature ten copies of the new Civil List, and also one copy for each officer and reporter of the Senate and Assembly, the price of the same not to exceed \$2.50 per copy.

Mr. Speaker put the question whether the House would agree to the adoption of said resolution, and it was determined in the affirmative.

{ AYES 75 }
{ NOES 6 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|----------|-----------|
| Alvord | Cookinham | Low | Shuit |
| Andrews | Costello | McAvoy | Sipp |
| Ash | Cullinan | McCabe | Siason |
| Baker, B. F. | Cushing | McCarthy | Skinner |
| Beach | Deane | McDonald | Steele |
| Benedict, E. D. | Douglass | Miller | Strait |
| Bradley | Duell | Mooers | Tallmadge |
| Bridges | Duguid | Nowlan | Terpeny |

| | | | |
|------------------|-----------|----------|----------------|
| Brodsky | Ellis | Parker | Travis |
| Bullock | Evans | Peck | Treanor |
| Carpenter, E. A. | Fiske | Phillips | Tuthill, H. H. |
| Carpenter, I. S. | Gray | Pitcher | Tuttle, R. M. |
| Chase | Hayes | Potter | Varnum |
| Chickering | Hoffman | Rhodes | Warner |
| Clancy | Hurd | Root | Waterbury |
| Clark | Ingersoll | Russell | Wells, J. L. |
| Clowes | Lefever | Seeley | Wiley |
| Comstock | Liddle | Sheridan | Wren |
| Congdon | Lindsay | Sherman | |

Those who voted in the negative, were

| | | | |
|-----------------|--------|-------|-------------|
| Benedict, T. E. | Curtis | Potts | Slingerland |
| Cohen | Gwinup | | |

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The bill entitled "An act to confirm the election of village trustees in certain cases, and to provide for and determine, by lot, their respective terms of office," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Curtis | Liddle | Sherman |
| Andrews | Cushing | Lindsay | Shuit |
| Baker, B. F. | Davis | Low | Sipp |
| Beach | Dougherty | McAvoy | Sisson |
| Benedict, E. D. | Duell | McCabe | Skinner |
| Bradley | Duguid | Mead | Slingerland |
| Bridges | Evans | Miller | Steele |
| Brodsky | Ferris | Mooers | Strait |
| Bullock | Fish | Newman | Tallmadge |
| Carpenter, E. A. | Fiske | Nowlan | Terpeny |
| Carpenter, I. S. | Fitzgerald | O'Brien | Titus |
| Case | Gibbs | Parker | Tozier |
| Catlin | Gray | Phillips | Travis |
| Chase | Griggs | Pitcher | Treanor |
| Chickering | Gwinup | Potter | Tully |
| Childs | Hagan | Potts | Tuthill, H. H. |
| Clancy | Hayes | Rhodes | Tuttle, R. M. |
| Clowes | Hoffman | Roberts | Varnum |
| Comstock | Hurd | Root | Warner |
| Congdon | Husted | Russell | Waterbury |
| Cookinham | Ingersoll | Sanders | Wells, J. L. |
| Costello | Kennedy | Seeley | Wiley |
| Cullinan | Lefever | Sheridan | Wren |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned Assembly bill entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" with a message that they have concurred in the passage of the same, with the following amendments:

Added at end of section 1 the following: "Provided, that no street or avenue shall be laid out, opened or constructed upon or across any lands heretofore acquired by the right of eminent domain and held in fee for depot purposes by any railroad corporations without the consent of such corporation."

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{AYES 84}

{NOES 21}

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alford | Dougherty | McAvoy | Sipp |
| Andrews | Duguid | McCabe | Sisson |
| Baker, B. F. | Evans | Miller | Skinner |
| Beach | Ferris | Moore | Slingerland |
| Benedict, E. D. | Fish | Nowlan | Steele |
| Bradley | Fiske | O'Brien | Strait |
| Bridges | Gillette | Parker | Tallmadge |
| Brodsky | Gray | Peck | Terpeny |
| Bullock | Griggs | Phillips | Trus |
| Carpenter, I. S. | Gwinup | Pitcher | Tozier |
| Case | Hagan | Potter | Travis |
| Catlin | Hayes | Reese | Treanor |
| Chase | Hoffman | Rhodes | Tully |
| Comstock | Hurd | Roberts | Tuthill, H. B. |
| Congdon | Husted | Root | Tuttle, R. M. |
| Cookinham | Ingersoll | Russell | Varnum |
| Cullinan | Kennedy | Sanders | Warner |
| Curtis | Lefever | Sealey | Waterbury |
| Cushing | Liddle | Sheridan | Wells, J. L. |
| Davis | Lindsay | Sherman | Wiley |
| Deane | Low | Shuit | Wren |

Those who voted in the negative, were

Shanley

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

On motion of Mr. Costello, and by unanimous consent, the committee of the whole was discharged from the further consideration of Assembly bill No. 772, general orders No. 945, entitled "An act for the relief of Peter Kehr, John A. Kellner and Louis Ott," and said bill was ordered to its third reading.

By unanimous consent, Mr. Mooers offered for the consideration of the House a resolution in the words following:

Resolved, That Senate bill No. 260, entitled "An act to authorize the agent and warden of Clinton prison to make certain contracts for the benefit of the State," now on general orders, be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Varnum introduced a bill entitled "An act to provide for cleaning the streets of the city of New York, and the collection and disposal

sition of the ashes, garbage and street sweepings in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Also, a bill entitled "An act to facilitate the speedy and economical disposition of refuse from the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Travis offered for the consideration of the House a resolution in the words following:

Resolved, That after Monday next this House shall meet every Monday, Tuesday, Wednesday, Thursday and Friday at 10 A. M. and 4 P. M., and on Saturdays at 10 A. M. and sit until 2 P. M., until the final adjournment.

Mr. Cookinham moved to strike out "Monday" and insert "Monday evening at 8 P. M."

Mr. E. D. Benedict moved to strike out "Saturday at 10 A. M. and sit until 2 P. M."

Mr. Speaker put the question whether the House would agree to the motion of Mr. E. D. Benedict, and it was determined in the affirmative.

Mr. Husted moved to lay said resolution on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Chickering offered for the consideration of the House a resolution in the words following:

Resolved, That Assembly bill No. 781, general orders No. 964, entitled "An act for the preservation of lobsters," may now have its third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative.

{ AYES 76 }
{ NOES 4 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Crapsier | Liddle | Sipp |
| Baker, B. F. | Cullinan | Lindsay | Sisson |
| Beach | Deane | Low | Skinner |
| Beates | Dougherty | McAvoy | Steele |
| Bradley | Duell | McCabe | Strait |
| Brennan | Duguid | Miller | Tallmadge |
| Bridges | Evans | Mooers | Terry |
| Brodsky | Ferris | Morgan | Tozier |
| Carpenter, I. S. | Fish | Newman | Travis |
| Chamberlain | Fiske | Nowlan | Treanor |
| Chase | Fitzgerald | O'Brien | Tully |
| Chickering | Griggs | Peck | Tuthill, H. H. |
| Childs | Gwinup | Phillips | Tuttle, R. M. |
| Clark | Hayes | Potter | Warner |
| Clowes | Hoffman | Potts | Waterbury |

| | | | |
|-----------|-----------|---------|--------------|
| Comstock | Husted | Russell | Wells, D. A. |
| Congdon | Ingersoll | Seeley | Wells, J. L. |
| Cookinham | Kennedy | Sherman | Wiley |
| Costello | Lefever | Shuit | Wren |

Those who voted in the negative, were

| | | | |
|-----------------|--------|--------|----------|
| Benedict, E. D. | Catlin | Havens | Sheridan |
|-----------------|--------|--------|----------|

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Cookinham offered for the consideration of the House a resolution in the words following :

Resolved (if the Senate concur), That this House will adjourn *sine die* on Friday, May 21, at 12 o'clock, noon.

Ordered, That the same be laid upon the table.

The Senate returned Assembly bill entitled "An act to prohibit the erection, construction, maintenance or operation of elevated railways or extensions thereof, in certain streets or avenues in the city of Brooklyn and county of Kings," with a message that they have concurred in the passage of the same, with the following amendments :

Section 1, line 4, strike out "Classon avenue;" line 8, after the word "avenue" insert "or in, upon, or through any portion of Classon avenue, in said city, from a point on the southerly side of Park avenue to Atlantic avenue."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Congdon | Kennedy | Shuit |
| Andrews | Cookinham | Lefever | Sipp |
| Baker, B. F. | Costello | Liddle | Sisson |
| Beach | Crapeer | Low | Skinner |
| Beates | Cullinan | McTernan | Slingerland |
| Bennett | Curtis | Miller | Steele |
| Bradley | Cushing | Mooers | Strait |
| Brennan | Davis | Morgan | Tallmadge |
| Bridges | Duell | Nowlan | Titus |
| Bullock | Duguid | O'Brien | Tozier |
| Carpenter, E. A. | Evans | Phillips | Tuthill, H. H. |
| Carpenter, I. S. | Fish | Potter | Tuttle, R. M. |
| Case | Fiske | Potts | Van Valkenburgh |
| Catlin | Fitzgerald | Rhodes | Varnum |
| Chamberlain | Gibbs | Roberts | Waterbury |
| Chase | Griggs | Root | Wells, D. A. |
| Chickering | Gwinup | Russell | Wells, J. L. |
| Clancy | Hoffman | Sanders | Wiley |
| Clowes | Hurd | Seeley | Wren |
| Comstock | Ingersoll | Sheridan | |

Ordered, That the Clerk return said bill to the Senate with a message informing of concurrence in their amendments.

The bill entitled "An act to reduce the expenses of the improvement commission in Long Island City," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.]

A. D. 1897

{AYES 91}

{NOES 00}

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Cullinan | Lefever | Sipp |
| Andrews | Curtis | Liddle | Sisson |
| Baker, B. | Cushing | Low | Skinner |
| Beach | Dougherty | McAvoy | Slingerland |
| Beates | Duell | McCabe | Steele |
| Bradley | Duguid | Miller | Strait |
| Brennan | Ellis | Moore | Tallmadge |
| Bridges | Evans | Nowlan | Terry |
| Brodsky | Ferris | O'Brien | Titus |
| Bullock | Fish | Peak | Tozier |
| Carpenter, E. A. | Fiske | Phillips | Travis |
| Case | Fitzgerald | Pitcher | Treanor |
| Callin | Gray | Potter | Tully |
| Chamberlain | Griggs | Potts | Tuthill, H. H. |
| Chase | Grosse | Rhodes | Tuttle, R. M. |
| Chickering | Gwindup | Roberts | Varnum |
| Clark | Hayes | Root | Warner |
| Clowes | Hoffman | Sanders | Waterbury |
| Comstock | Howland | Seeley | Wells, D. A. |
| Copple | Hurd | Shanley | Wells, J. L. |
| Cookinham | Husted | Sheridan | Wiley |
| Costello | Ingersoll | Sherman | Wren |
| Crapper | Kennedy | Shuit | |

Ordered: That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 381 of the Laws of 1877, entitled 'An act to amend chapter 896 of the Laws of 1869, entitled 'An act to incorporate the Crescent Company, and to extend the time within which the company thereby created may commence operations, passed June 2, 1877, and to further extend the time within which said company may commence operations,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined, in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{AYES 74}

{NOES 7}

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Costello | Kennedy | Seeley |
| Andrews | Crapper | Low | Shuit |
| Baker, B. | Cullinan | McAvoy | Sipp |
| Beach | Curtis | McCabe | Skinner |
| Beates | Davis | McDonald | Slingerland |
| Benedict, E. D. | Deane | Miller | Steele |
| Bradley | Dougherty | Mitchell | Tallmadge |
| Brennan | Duell | Moore | Terry |
| Bridges | Duguid | Newman | Titus |
| Brodsky | Evans | Nowlan | Tozier |
| Bullock | Ferris | Phillips | Treanor |
| Carpenter, E. A. | Fish | Pitcher | Tuthill, H. H. |
| Carpenter, I. S. | Fitzgerald | Potts | Tuttle, R. M. |
| Callin | Gray | Rhodes | Varnum |
| Childs | Grosse | Roberts | Walsh |
| Clark | Hagan | Root | Wells, D. A. |

Clowes
Comstock
Cookinham

Hayes
Hoffman
Hurd

Russell
Sanders
Shurtz

Wells, J. L.
Wren

Those who voted in the negative, were

Griggs Liddle O'Brien Shanley
Gwinup Lindsay Parker

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message was received from the Governor, in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER,

ALBANY, May 6, 1889.

To the Assembly:

In pursuance of a joint resolution of the Senate and Assembly, herewith is returned, for amendment, Assembly bill No. 380, entitled, "An act to transfer to Cornell University the securities, moneys and book-tracts constituting and relating to the Cornell endowment fund."

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{AYES 78}
{NOES 60}

Those who voted in the affirmative, were

| | | | |
|------------------|---------|----------|----------------|
| Alford | Curtis | McCarthy | Sipp |
| Andrews | Davis | McDonald | Stinson |
| Baker, B. F. | Deane | Miller | Skinner |
| Beach | Dushon | Minchell | Slingerland |
| Beates | Duguid | Newman | Steele |
| Benedict, E. D. | Evans | Nowlan | Stearns |
| Bradley | Ferris | O'Brien | Tallmadge |
| Brennan | Fish | Parker | Terpeny |
| Bridges | Gray | Peck | Terry |
| Brodsky | Griggs | Phillips | Titus |
| Bullock | Gwinup | Pitchee | Tozier |
| Carpenter, E. A. | Hayes | Potter | Travis |
| Carpenter, I. S. | Hoffman | Potts | Ureacher |
| Chase | Husted | Rhodes | Tuthill, H. H. |
| Chickering | Keane | Roberts | Tuttle, R. M. |
| Clark | Leffey | Root | Varnum |
| Clowes | Lindsay | Sanders | Warner |
| Cookinham | Low | Seeley | Waterbury |
| Costello | McAvoy | Shuit | Wiley |
| Cullinan | McCabe | | |

On motion of Mr. Titus, and by unanimous consent, said bill was amended by adding at end of "jurat" "three-fifths being present."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }
 { NOES 00 }

Those who voted in the affirmative, were,

| | | | |
|------------------|------------|----------|---------------|
| Alvord | Curtis | McAvoy | Seeley |
| Andrews | Davis | McCabe | Shuit |
| Baker, B. F. | Deane | McCarthy | Sipp |
| Beach | Duell | McDonald | Sisson |
| Beates | Duguid | Miller | Skinner |
| Bradley | Evans | Mitchell | Slingerland |
| Brennan | Fish | Mooers | Steele |
| Bridges | Fitzgerald | Morgan | Strait |
| Brodsky | Gray | Newman | Tallmadge |
| Bullock | Griggs | Nowlan | Terpeny |
| Carpenter, E. A. | Grosse | O'Brien | Terry |
| Carpenter, I. S. | Gwinup | Parker | Titus |
| Chase | Havens | Peck | Tozier |
| Chickering | Hayes | Phillips | Travis |
| Childs | Hoffman | Pitcher | Treanor |
| Clark | Howland | Potter | Tuttle, R. M. |
| Clowes | Husted | Potts | Warner |
| Comstock | Ingersoll | Rhodes | Waterbury |
| Congdon | Kennedy | Roberts | Wells, D. A. |
| Cookinham | Lefever | Root | Wells, J. L. |
| Crapser | Liddle | Sanders | Wiley |
| Cullinan | Low | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

By unanimous consent,

Mr. Steele offered for the consideration of the House a resolution in the words following:

Resolved (if the Senate concur), That this Legislature adjourn *sine die* Wednesday, May 26, 1880, at 12 o'clock, noon.

Ordered, That the same be laid on the table.

By unanimous consent,

Mr. McDonald offered for the consideration of the House a resolution in the words following:

Resolved, That Assembly bill No. 773, general orders No. 946, entitled "An act to provide lights, at the crossing of streets, by the elevated railroads in the city of New York," be sent to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

A message from the Senate was received and read, in words following:

IN SENATE, April 29, 1880:

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to amend chapter 519 of the Laws of 1870, entitled "An act to amend the charter of the city of Buffalo."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Williams, and by unanimous consent, the same was amended as follows:

Section 2, line 1, engrossed bill, strike out the word "May" and insert "June."

Section 18, line 2, after the word "forty" insert "nine."

And as amended passed, re-engrossed and ordered sent to the Assembly for concurrence. By order.

JOHN W. VROOMAN, *Clerk*.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }
{ NOES 20 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|---------------|
| Alvord | Cullinan | Lefever | Seeley |
| Andrews | Curtis | Liddle | Shuit |
| Baker, B. F. | Davis | Lindsay | Sisson |
| Beach | Deane | Low | Skinner |
| Beates | Duell | Miller | Slingerland |
| Benedict, E. D. | Duguid | Mitchell | Steele |
| Bradley | Evans | Mooers | Terpeny |
| Bridges | Ferris | Morgan | Terry |
| Brodsky | Fish | Nowlan | Titus |
| Bullock | Fiske | O'Brien | Tozier |
| Carpenter, E. A. | Gray | Peck | Travis |
| Carpenter, I. S. | Griggs | Phillips | Tuttle, R. M. |
| Chamberlain | Grosse | Pitcher | Varuum |
| Chase | Hayes | Potter | Warner |
| Chickering | Hoffman | Potts | Waterbury |
| Childs | Howland | Roberts | Wells, D. A. |
| Clark | Hurd | Root | Wells, J. L. |
| Congdon | Husted | Russell | Wren |
| Cookinham | Ingersoll | Sandera | Mr. Speaker |
| Crapser | Kennedy | | |

Those who voted in the negative, were

| | | | |
|-----------------|------------|----------|-----------|
| Benedict, T. E. | Dougherty | McAvoy | Shanley |
| Clancy | Fitzgerald | McCarthy | Thilemann |
| Cohen | Gibbs | McDonald | Treanor |
| Costello | Gwinup | Parker | Walsh |
| Cushing | Havens | Rhodes | Wiley |

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 74 }
{ NOES 12 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|----------|----------------|
| Alvord | Crapser | Liddle | Shuit |
| Andrews | Cullinan | Lindsay | Sisson |
| Baker, B. F. | Curtis | Low | Skinner |
| Beach | Davis | Miller | Slingerland |
| Beates | Deane | Mitchell | Steele |
| Bradley | Duell | Mooers | Terry |
| Brennan | Duguid | Nowlan | Titus |
| Bridges | Evans | O'Brien | Tozier |
| Brodsky | Ferris | Peck | Travis |
| Bullock | Fish | Phillips | Tuthill, H. H. |
| Carpenter, E. A. | Fiske | Pitcher | Tuttle, R. M. |

| | | | |
|------------------|-----------|---------|--------------|
| Carpenter, I. S. | Gray | Potter | Varron |
| Chamberlain | Griggs | Rotts | Wames |
| Chase | Hayes | Roberts | Waterbury |
| Chickering | Hurd | Root | Wells, D. A. |
| Childs | Husted | Russell | Wells, J. L. |
| Clark | Ingersoll | Sanders | Wren |
| Congdon | Kennedy | Seeley | Mr. Speaker |
| Cookinham | Lefever | | |

Those who voted in the negative, were

| | | | |
|------------|---------|-----------|---------|
| Dougherty | Gwinup | Parker | Treanor |
| Fitzgerald | Hoffman | Shapley | Walsh |
| Gibbs | McAvoy | Thilemann | Wiley |

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The bill entitled "An act to amend section 82, article 3, title 4, chapter 2, part 4 of the Revised Statutes, relative to removing indictments to the Supreme Court from courts of oyer and terminer," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 40 }
{ NOES 25 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-------------|
| Alvord | Chase | Hayes | Sheridan |
| Andrews | Chickering | Lefever | Shuit |
| Baker, B. F. | Childs | Low | Sipp |
| Beach | Clark | Nowlan | Sisson |
| Beates | Crapser | Parker | Skinner |
| Benedict, E. D. | Deane | Phillips | Slingerland |
| Brennan | Duguid | Potts | Steele |
| Bullock | Fiske | Roberts | Tallmadge |
| Carpenter, E. A. | Gray | Russell | Titus |
| Carpenter, I. S. | Griggs | Seeley | Tozier |

Those who voted in the negative, were

| | | | |
|-----------------|----------|---------|--------------|
| Benedict, T. E. | Gibbs | Miller | Treanor |
| Cohen | Gross | Newman | Walsh |
| Cookinham | Hagan | Reck | Warner |
| Costello | Havens | Rhodes | Wells, J. L. |
| Cullinan | McDonald | Shanley | Wiley |
| Cushing | McTernan | Travis | Wren |
| Dougherty | | | |

Mr. Congdon moved to reconsider the vote by which said bill was lost.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 67 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|--------------|-----------|-----------|--------|
| Alvord | Congdon | Ingersoll | Shuit |
| Baker, B. F. | Cookinham | Kennedy | Sipp |
| Beach | Costello | Lindsay | Sisson |

| | | | |
|------------------|-----------|----------|----------------|
| Beates | Crapeer | Low | Skinner |
| Benedict, E. D. | Cullinan | McAvoy | Slingerland |
| Benedict, T. E. | Davis | Miller | Steele |
| Bennett | Deane | Mitchell | Tallmadge |
| Bradley | Dougherty | Newman | Travis |
| Brennan | Duell | Nowlan | Treanor |
| Bridges | Duguid | Phillips | Tuthill, H. H. |
| Brodsky | Ferris | Potter | Tuttle, R. M. |
| Bullock | Fish | Potts | Waterbury |
| Carpenter, I. S. | Fiske | Roberts | Wells, D. A. |
| Chase | Groose | Russell | Wells, J. L. |
| Chickering | Gwinup | Sanders | Wren |
| Childs | Hoffman | Seeley | Mr. Speaker |
| Cornstock | Husted | Sherman | |

Mr. Congdon moved to recommit said bill to the committee on the judiciary, with power to report at any time.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Terry moved to substitute Senate bill No. 343, entitled "An act for the protection of corporations organized for generating and distributing steam for heating and other purposes," for Assembly bill No. 659, same title, now on order of third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Clowes, and by unanimous consent, Assembly bill entitled "An act authorizing the appointment of special policemen for Long Beach, in the town of Hempstead, Queens county," was referred to the sub-committee of the whole.

The bill entitled "An act to exempt the county of Saratoga from the provisions of act chapter 733, Laws of 1872, so far as it authorizes the employment of assistant counsel to the district attorney of any county," having been announced for a third reading,

On motion of Mr. Slingerland, and by unanimous consent, said bill was amended by inserting after the word "Saratoga," section 1, line 1, the word "Albany."

Said bill, as amended, was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }
{ NOES 3 }

Those who voted in the affirmative, were

| | | | |
|-----------------|------------|----------|-------------|
| Alvord | Crapeer | Liddle | Sherman |
| Andrews | Cullinan | Low | Shuit |
| Baker, B. F. | Curtis | McCarthy | Sipp |
| Beach | Cushing | Mead | Sisson |
| Beates | Davis | Miller | Skinner |
| Benedict, E. D. | Deane | Mitchell | Slingerland |
| Bradley | Duell | Mooers | Steele |
| Brennan | Duguid | Morgan | Strait |
| Brodsky | Evans | Newman | Tallmadge |
| Bullock | Ferris | Nowlan | Terry |
| Catlin | Fish | Parker | Titus |
| Chamberlain | Fitzgerald | Peck | Tozier |

| | | | |
|------------|-----------|----------|----------------|
| Chase | Gibbs | Phillips | Travis |
| Chickering | Gray | Pitcher | Tuthill, H. H. |
| Childs | Grosse | Potter | Walsh |
| Clark | Hayes | Potts | Warner |
| Clowes | Hoffman | Root | Waterbury |
| Comstock | Husted | Russell | Wells, D. A. |
| Congdon | Ingersoll | Sanders | Wells, J. L. |
| Cookinham | Kennedy | Seeley | Mr. Speaker |
| Costello | Lefever | | |

Those who voted in the negative, were
 Gwinup Havens Rhodes

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Husted introduced a bill entitled "An act to provide for the settlement of the boundary lines between the State of New York and the States of Pennsylvania and New Jersey, respectively," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Husted, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }
 { NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|-----------------|
| Alvord | Cohen | Hayes | Root |
| Andrews | Comstock | Hoffman | Russell |
| Baker, B. F. | Congdon | Hurd | Seeley |
| Beach | Cookinham | Husted | Shuit |
| Beates | Costello | Ingersoll | Sipp |
| Benedict, E. D. | Cullinan | Kennedy | Siason |
| Benedict, T. E. | Curtis | Lefever | Skinner |
| Bennett | Cushing | Liddle | Slingerland |
| Bradley | Davis | Lindsay | Steele |
| Brennan | Deane | Low | Strait |
| Bridges | Dougherty | Mead | Terry |
| Brodsky | Duguid | Miller | Tozier |
| Bullock | Ferris | Morgan | Travis |
| Carpenter, I. S. | Fish | Newman | Tuthill, H. H. |
| Catlin | Fiske | Parker | Tuttle, R. M. |
| Chamberlain | Fitzgerald | Peck | Van Valkenburgh |
| Chase | Gibbs | Pitcher | Varnum |
| Chickering | Gray | Potter | Walsh |
| Childs | Griggs | Potts | Waterbury |
| Clark | Grosse | Roberts | Wren |
| Clowes | Havens | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Husted offered for the consideration of the House a resolution in the words following:

Resolved (if the Senate concur), That there be printed 500 extra

copies of the Regents of the University on the Resurvey of the New York and Pennsylvania Boundary Line (being Assembly Document No. 100), for the use of the said Regents, with the accompanying maps, and bound in paper covers, all to be paid for according to the prices stipulated in the contract for extra copies.

Ordered, That said resolution be referred to the committee on public printing.

The Senate sent for concurrence the bills entitled as follows :

"An act to provide for perfecting and enlarging the system of sewerage of the city of Buffalo, and to ascertain the cost of such main or trunk sewers as are now needed, and the proper and equitable method of raising moneys to pay for their construction," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to authorize the city of Buffalo to issue its bonds for the purpose of increasing the water supply to its inhabitants," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act in regard to markets in the city of New York, and to provide for the rebuilding of the same," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Travis, and by unanimous consent, said bill was substituted for Assembly bill No. 909, general orders No. 753.

"An act to acquire land and to prepare the same for market purposes in the vicinity of Washington market in the city of New York."

Mr. Travis moved to refer said bill to the committee on affairs of cities, with power to report said bill complete.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 24 }
{ NOES 62 }

Those who voted in the affirmative, were

| | | | |
|--------------|------------------|------------|--------------|
| Alvord | Carpenter, E. A. | Fish | O'Brien |
| Andrews | Carpenter, I. S. | Fitzgerald | Shuit |
| Baker, B. F. | Clark | Hoffman | Steele |
| Bradley | Clowes | Liddle | Travis |
| Bridges | Curtis | Lindsay | Waterbury |
| Brodsky | Davis | McCabe | Wells, J. L. |

Those who voted in the negative, were

| | | | |
|-----------------|-----------|----------|----------------|
| Beach | Cushing | McDonald | Sipp |
| Benedict, E. D. | Deane | McTernan | Sisson |
| Bennett | Dougherty | Mead | Skinner |
| Brennan | Duguid | Miller | Strait |
| Bullock | Ferris | Mitchell | Tallmadge |
| Catlin | Fiske | Mooers | Terpeny |
| Chamberlain | Gibbs | Nowlan | Titus |
| Chase | Gray | Parker | Tozier |
| Chickering | Grosse | Phillips | Treanor |
| Childs | Gwinup | Pitcher | Tully |
| Clancy | Hagan | Rhodes | Tuthill, H. H. |
| Cohen | Havens | Root | Tuttle, R. M. |
| Congdon | Ingersoll | Sanders | Walsh |
| Cookinham | Low | Seeley | Warner |
| Costello | McAvoy | Shanley | Wren |
| Cullinan | McCarthy | | |

Mr. Titus, from the sub-committee of the whole, presented a report from said committee; which was laid on the table and ordered printed. (See Doc. No. 133.)

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act to amend chapter 70 of the Laws of 1858, entitled 'An act to incorporate the village of Olean, in the county of Cattaraugus, to provide for the election of officers for the same, and to declare the said village a separate road district, and also to amend chapter 556 of the Laws of 1868, entitled 'An act to amend the charter of the village of Olean, and supplemental thereto.'"

"An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages.'"

"An act to amend section 5 of article 1, title 2, chapter 11 of part 1 of the Revised Statutes, relating to town meetings."

"An act to authorize summary proceedings by mandamus against common carriers."

"An act to establish the boundaries of the village of Victor, in the county of Ontario."

"An act releasing all the right, title and interest of the People of the State of New York in and to certain tracts or parcels of land to Peter M. Biegen."

"An act for the relief of Isaac Piser."

"An act to amend chapter 26 of the Laws of 1878, entitled 'An act authorizing the city of Kingston to issue bonds for the purpose of creating a fund to pay the principal of the bonded indebtedness of said city, falling due in the years 1879, 1880, 1881 and 1882, and its proportion or quota of the bonded indebtedness of the county of Ulster, falling due in said years.'"

Mr. Titus called from the table the report of the sub-committee of the whole in words following:

Report of the sub-committee of the whole.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 871, printed No. 183, entitled "An act to amend chapter 280 of the Laws of 1847, entitled 'An act in relation to the judiciary,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 654, printed No. 203, entitled "An act to amend chapter 330 of the Laws of 1850, entitled 'An act reincorporating the village of Little Falls by the name of Rockton, and the laws amendatory thereof,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 695, printed No. 187, entitled "An act to provide for the formation of county co-operative insurance companies," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 839, printed No. 250, entitled "An act to amend chapter 604 of the Laws of 1875, entitled 'An act to prevent the deposit of carrion, offal or dead animals in the North and East rivers, or in the bay of New York, or in Raritan bay within the juris-

diction of the State of New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 864, printed No. 119, entitled "An act to allow the continued use of a business name or designation in certain cases," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 630, printed No. 178, entitled "An act to incorporate the Grand Council of Royal Templars of Temperance of the State of New York, and to provide for the organization of select councils," reported in favor of the passage of the same, with amendments as follows:

Strike out first 4 lines of section 1, engrossed bill, and insert the following: "Joseph W. Grosvenor, Linus S. Freeman, William H. Freshour, Edwin H. Abbott, James W. Green, William D. Lewis, Edwin Elmore, Simon P. Green, George W. Dowe."

Section 2, line 4, strike out the words "strikes and."

Section 3, line 9, after the word "State" insert "or the rules and regulations of the supreme council."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill Int. 1085, G. O. 925, not printed, entitled "An act to revise and amend title 11 of chapter 291 of the Laws of 1877, entitled 'An act to incorporate the city of Binghamton, and the several acts amendatory thereof,' " reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill Int. 1121, G. O. 922, not printed, entitled "An act for the relief of certain persons engaged in the practice of dentistry within this State," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 852, printed No. 716, entitled "An act making it unlawful for the officers of any orphan asylum, charitable institution or other reformatory or temporary home for destitute children in this State, having the care or custody of any child or children between the ages of two and sixteen years, to employ in the care of any such child or children the services of any inmate of any poor-house, alms-house, work-house or penitentiary," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 900, printed No. 746, entitled "An act to release to the trustees of the Philadelphia Eye and Ear Infirmary any claim to the estate of Ann Margaret Shinn, deceased," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 612, printed No. 538, entitled "An act to authorize cities and incorporated villages to charge license fees to persons doing a retail business on the canals of this State," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 824, printed No. 696, entitled "An act to amend chapter 126 of the Laws of 1861, entitled 'An act to authorize the election of one overseer of the poor in the town of Saugerties,

Ulster county," reported in favor of the passage of the same, with an amendment as follows:

Strike out section 2, and insert in lieu thereof the following :

"§ 2. This act shall take effect at the expiration of the term of the present overseer of the poor of the said town of Saugerties."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 859, printed No. 721, entitled "An act to legalize the official acts of Casper B. Vescolius, a justice of the peace in the county of Seneca," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 593, printed No. 518, entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the village of Lansingburgh, passed April 16, 1864, and the several acts additional thereto and amendatory thereof,'" reported in favor of the passage of the same, with amendments as follows:

Strike out section 9 ; change section "ten" to section "nine."

Also to amend the title so that it will read "An act to amend chapter 204 of the Laws of 1864, entitled 'An act to amend and consolidate the several acts relating to the village of Lansingburgh.'"

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 869, printed No. 731, entitled "An act to amend chapter 8 of part 3 of the Revised Statutes, entitled 'Of distraining cattle and other chattels doing damage, and of distraining in other cases,'" reported in favor of the passage of the same, with an amendment as follows:

To amend the title by inserting after the word amend, in the first line, the following: "section 2 of title 11 of."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill Int. 1032, G. O. 866, not printed, entitled "An act protecting fish in certain waters of this State," reported in favor of the passage of the same, with amendments as follows:

Section 1, line 5, strike out the word "or" after the word "Oneida;" and insert after the word "rivers," in line 6, the following: "or in the American waters of Niagara river above Niagara Falls."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 815, printed No. 692, entitled "An act providing for the compensation of the county judge and the surrogate of the county of Oneida," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 813, printed No. 690, entitled "An act to incorporate the Friendship Association of the city of New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 611, printed No. 537, entitled "An act to encourage improvement in steam propulsion upon the Champlain canal," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 420, printed No. 385, entitled "An act to amend an act entitled 'An act to amend chapter 267 of the Laws of 1875, entitled 'An act for the incorporation of societies or clubs for

certain recreative purposes, passed March 14, 1876," reported in favor of the passage of the same, with an amendment as follows:

To amend the title by striking out the words "passed March 14, 1876."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 847, printed No. 711, entitled "An act to further amend chapter 262 of the Laws of 1855, entitled 'An act revising and amending an act entitled 'An act to incorporate the village of Ulster,'" reported in favor of the passage of the same, with amendments as follows:

Section 1, line 5, strike out the words "The directors of said village shall appoint three of their number," and insert "The president of the board of directors shall annually, at the meeting of the said board previous to the election for village officers, appoint three of the said directors."

Also to add at end of section 1 as follows: "And who shall serve as such inspectors for one year after, and from their appointment."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 885, printed No. 739, entitled "An act in relation to assessments for taxes in Long Island City," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 247, printed No. 230, entitled "An act to repeal chapter 47 of the Laws of 1879, entitled 'An act authorizing the reduction of pay of certain town officers in the county of Sullivan,'" passed February 26, 1879, reported in favor of the passage of the same, with amendments as follows:

To amend section 2 so that it will read: "This act shall take effect immediately."

Also to amend the title by striking out the words: "Passed February 26, 1879."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 319, printed No. 296, entitled "An act to exempt the corporation of the village of Monticello, in Sullivan county, and the trustees and other officers of said village, from the provisions of chapter 440 of the Laws of 1873, entitled 'An act requiring commissioners of highways to act as inspectors of plank roads and turnpikes,' passed May 8, 1873," reported in favor of the passage of the same, with an amendment as follows:

To amend the title by striking out the words: "Passed May 8, 1873."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 779, printed No. 665, entitled "An act to amend an act entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes, passed February 17, 1848, and for other purposes, reported in favor of the passage of the same, with an amendment as follows:

To amend the title so that it will read: "An act to amend section 23 of chapter 40 of the Laws of 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes.'"

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Ordered, That said bills be engrossed for a third reading.

Mr. Alvord moved that this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Varnum moved to lay said order of business on the table, for the purpose of taking up order of business introduction of motions and resolutions and reports of standing committees.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

{ AYES 59 }
{ NOES 39 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Andrews | Cookinham | Liddle | Shuit |
| Baker, B. F. | Cullinan | Lindsay | Slingerland |
| Beach | Curtis | Low | Terry |
| Beates | Davis | McCabe | Titus |
| Bradley | Deaue | Mitchell | Tozier |
| Brennan | Duell | Mooers | Travis |
| Bridges | Fish | Morgan | Tuthill, H. H. |
| Brodsky | Gray | Nowlan | Tuttle, R. M. |
| Carpenter, E. A. | Griggs | O'Brien | Van Valkenburgh |
| Carpenter, I. S. | Hayes | Phillips | Varnum |
| Chickering | Hurd | Pitcher | Waterbury |
| Childs | Husted | Potts | Wells, J. L. |
| Clark | Ingersoll | Root | Wren |
| Clowes | Kennedy | Russell | Mr. Speaker |
| Comstock | Lefever | Sanders | |

Those who voted in the negative, were

| | | | |
|-----------------|------------|----------|-----------|
| Alvord | Cushing | Hoffman | Shanley |
| Benedict, E. D. | Dougherty | McAvoy | Sheridan |
| Benedict, T. E. | Duguid | McCarthy | Strait |
| Bennett | Fiske | McDonald | Terpeny |
| Bullock | Fitzgerald | McTernan | Thilemann |
| Catlin | Gibbs | Mead | Treanor |
| Clancy | Grosse | Miller | Tully |
| Cohen | Gwinup | Newman | Walsh |
| Congdon | Hagan | Parker | Wiley |
| Costello | Havens | Rhodes | |

When the name of Mr. Skinner was called, he stated that he was paired with Mr. Youngs.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. McCarthy (introductory No. 1180), entitled "An act allowing actions brought in the marine court of the city of New York against the mayor, aldermen and commonalty of said city to be discontinued, and recommenced in any court of competent jurisdiction," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 261), entitled "An act to make effectual judicial decrees against unknown owners," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 230), entitled "An act

authorizing the surrogate of the county of Erie to appoint a stenographer for the surrogate's court of said county," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 223), entitled "An act for the relief of Thomas Cottman," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 224), entitled "An act to amend chapter 258 of the Laws of 1849, entitled 'An act in relation to suits by and against joint-stock companies and associations,'" and also to amend chapter 455 of the Laws of 1851, entitled "An act to extend the act in relation to suits by and against joint-stock companies and associations to companies having a joint or common interest in property," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 283), entitled "An act to regulate the leasing of real estate by the mayor, aldermen and commonalty of the city of New York," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Cullinan (introductory No. 1176), entitled "An act to authorize the city of Oswego to apply proceeds of New York and Oswego Midland Railroad Company stock to pay indebtedness, etc.," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 269), entitled "An act to amend title 1, chapter 17, part 1 of the Revised Statutes, entitled 'Of sales by auctioneers,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Brennan (introductory No. 1161), entitled "An act to amend chapter 440 of the Laws of 1876, entitled 'An act to establish a State board of audit and to define its powers and duties,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Comstock offered for the consideration of the House a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return of Assembly bill No. 515, general orders No. 590, entitled "An act to amend chapter 30 of the Laws of 1880, entitled 'An act to amend chapter 598 of the Laws of 1870, entitled 'An act to amend an act to incorporate the city of Troy, passed April 12, 1816, and the several acts amendatory thereof, and also to amend other acts relating to the city of Troy, and supplemental thereto, passed February 27, 1880,'" for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

{ AYES 68 }
{ NOES 14 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|-----------------|
| Alvord | Clowes | Husted | Sanders |
| Andrews | Comstock | Ingersoll | Shuit |
| Baker, B. F. | Congdon | Kennedy | Sipp |
| Beach | Cookinham | Lefever | Skinner |
| Beates | Cullinan | Liddle | Slingerland |
| Bradley | Curtis | McCabe | Terry |
| Brennan | Davis | Miller | Titus |
| Bridges | Deane | Mitchell | Tozier |
| Brodskey | Duell | Mooers | Travis |
| Bullock | Duguid | Morgan | Tuthill, H. H. |
| Carpenter, E. A. | Ferris | Nowlan | Tuttle, R. M. |
| Carpenter, I. S. | Fish | Parker | Van Valkenburgh |
| Chamberlain | Fiske | Phillips | Varnum |
| Chase | Gray | Pitcher | Waterbury |
| Chickering | Griggs | Potts | Wells, J. L. |
| Childs | Hayes | Root | Wren |
| Clark | Hurd | Russell | Mr. Speaker |

Those who voted in the negative, were

| | | | |
|-----------------|-----------|----------|---------|
| Benedict, E. D. | Clancy | Hoffman | Rhodes |
| Benedict, T. E. | Dougherty | McAvoy | Shanley |
| Bennett | Gibbs | McTernan | Walsh |
| Catlin | Havens | | |

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Wren gave notice that on Tuesday, at eleven o'clock, he would move a call of the House.

Mr. Speaker announced the following as a conference committee on Assembly bill No. 69, entitled "An act to amend subdivision 1, section 9 of article 2, title 4, chapter 6, Revised Statutes, in relation to elections and ballots," Messrs. Lindsay, Varnum, Russell, Cullinan and Hoffman.

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have appointed a conference committee thereon.

Mr. Sanders, from the committee on insurance, to which was referred the bill introduced by Mr. Husted (introductory No. 1154), entitled "An act to amend section 3 of chapter 489 of the Laws of 1879, entitled 'An act to regulate the issuance of policies and the reinsurance thereof by fire insurance companies transacting business in this State,' passed June 7, 1879," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Curtis, from the committee on charitable and religious societies, to which was referred the bill (introductory No. 385), entitled "An act to amend chapter 448 of the Laws of 1863, entitled 'An act to incorporate the Society for the Protection of Destitute Roman Catholic Children in the city of New York,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Cullinan gave notice that at some future day he should move

to reconsider the vote by which Assembly bill No. 615, general orders No. 706, entitled "An act to authorize the selection, location and appropriation of certain lands in the village of Niagara Falls for a State reservation, and to preserve the scenery of the falls of Niagara," was passed.

Mr. Speaker presented the report of the State Engineer and Surveyor in answer to a resolution of the Assembly; which was laid on the table and ordered printed.

(See Doc. No. 88.)

On motion of Mr. Cullinan, and at one o'clock and twenty-five minutes, the House adjourned.

MONDAY EVENING, MAY 10, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Morrow.

The journal of Friday was read and approved.

Mr. Speaker presented a communication from the Chamber of Commerce of the city of New York, in favor of Senate bill No. 214; also Assembly bill No. 723; which was laid on the table and ordered printed.

(See Doc. No. 138.)

Mr. Newman offered for the consideration of the House a resolution in the words following:

Resolved, That Senate bill No. 133, general orders No. 159, entitled "An act to create a board of estimate for the county of Kings and the city of Brooklyn," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker presented a list of bills, selected by the Speaker and Clerk, for reference to the sub-committee of the whole; which was laid on the table and ordered printed:

No. 656, G. O. 768, Mr. Bridges: "An act to amend chapter 431 of the Laws of 1879, entitled 'An act requiring the commissioners of the town of Unadilla, in the county of Otsego, to pay over the surplus moneys or securities in their hands to the county treasurer to be used for the payment of taxes against said town.'"

No. 742, G. O. 888, Mr. Waterbury: "An act in relation to the temporary relief of the poor in the town of Goshen, Orange county."

No. 755, G. O. 913, Mr. E. D. Benedict: "An act to amend chapter 133 of the Laws of 1847, entitled 'An act authorizing the incorporation of rural cemetery associations, passed April 27, 1847.'"

No. 757, G. O. 915, Mr. Duell: "An act for the relief of Phillip Hathaway."

No. 677, G. O. 798, Mr. Roberts: "An act to amend chapter 320 of the Laws of 1859, entitled 'An act to amend the incorporation of the village of Lancaster, in the county of Erie.'"

No. 465, G. O. 519, Mr. Gibbs: "An act to amend section 15 of chapter 579 of the Laws of 1853, entitled 'An act to simplify the manner of collecting arrears of taxes, assessments and regular rents of croton water in the city of New York.'"

No. 771, G. O. 944, Mr. Roberts: "An act to authorize the city of Buffalo to issue its bonds for the purposes of increasing the water supply to its inhabitants."

No. 762, G. O. 930, Mr. Fiske: "An act in relation to rates of fare upon certain railroads."

No. 526, G. O. 599, Mr. McCarthy: "An act giving the right to interpose supplemental pleading setting forth a discharge in bankruptcy."

No. 687, G. O. 810, Mr. McCarthy: "An act to amend section 376 of the Code of Civil Procedure."

- No. 589, G. O. 674, Mr. Wren: "An act to authorize the Equity Gas Light Company of the eastern district of the city of Brooklyn to change its name."

No. 686, G. O. 809, Mr. McCarthy: "An act to further amend chapter 448 of the Laws of 1876, entitled 'An act relating to courts, officers of justice, and civil proceedings.'"

No. 753, G. O. 910, Mr. Alvord: "An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction.'"

No. 754, G. O. 912, Mr. B. F. Baker: "An act to amend chapter 337, Laws of 1874, entitled 'An act to facilitate the construction of water-ways, and to increase the facilities of navigation in the transportation of freight and passengers.'"

No. 663, G. O. 777, Mr. B. F. Baker: "An act to facilitate the collection of judgments."

No. 766, G. O. 939, Mr. Deane: "An act for the relief of James B. Brady."

No. 767, G. O. 940, Mr. Deane: "An act to provide for the payment of the salary and legal expenses of George W. Morton, an excise commissioner in the city of New York."

No. 623, G. O. 716, Mr. McAvoy: "An act granting rights to cities, counties and towns."

Senate bill No. 102, G. O. 477, Mr. Jacobs: "An act for the relief of Mary A. Vandewater, administratrix of Henry Vandewater, deceased."

Senate bill No. 150, G. O. 678, Mr. Braman: "An act to establish a board of fire commissioners for the village of West Troy, in the county of Albany."

Senate bill No. 206, G. O. 726, Mr. Forster: "An act to provide for the improvement of Morningside park in the city of New York, and of the streets and avenues bounding said park."

Senate bill No. 290, Mr. Schroeder: "An act to amend chapter 361 of the Laws of 1871, entitled 'An act to facilitate the admission of certain wills as evidence in courts of justice.'"

Senate bill No. 199, G. O. 836, Mr. Bixby: "An act relating to certain buildings erected for county purposes in the city and county of New York."

Senate bill No. 13, G. O. 142, Mr. Williams: "An act to amend chapter 176 of the Laws of 1879, entitled 'An act in relation to writs of error in behalf of the people in criminal cases.'"

Senate bill No. 171, G. O. 700, Mr. Robertson: "An act to amend chapter 535 of the Laws of 1871, entitled 'An act to extend the operation and effect of the act passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes.'"

Senate bill No. 135, G. O. 837, Mr. Williams: "An act to give the common council of the city of Buffalo power to allow the owners of the Arcade building in said city compensation for the injury to said building occasioned by the acts of the public authorities of said city in January, 1865."

Senate bill No. 225, G. O. 819, Mr. Williams: "An act to amend chapter 415 of the Laws of 1863, entitled 'An act to amend section 1 of chapter 417 of the Laws of 1862.'"

Senate bill No. 133, G. O. 560, Mr. Schroeder: "An act to create a board of estimate for the county of Kings and the city of Brooklyn, and to prescribe the manner in which appropriations shall be made for the support of the government of said county and said city."

Senate bill No. 295, G. O. 923, Mr. Williams: "An act to amend chapter 448 of the Laws of 1876, entitled 'An act relating to courts, officers of justice, and civil proceedings.'"

By unanimous consent,

Mr. Roberts offered for the consideration of the House a privileged resolution in words following:

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor, requesting the return of Assembly bill, printed No. 180, entitled "An act to establish a local court of civil jurisdiction in the city of Buffalo, to be called the Municipal Court of Buffalo, and to amend the charter of said city," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Brodsky offered for the consideration of the House a resolution in the words following:

Resolved, That Senate bill No. 262, general orders No. 929, entitled "An act for the relief of Lawrence Collins," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Potts offered for the consideration of the House a resolution in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of Senate bill No. 57, introductory No. 128, general orders No. 54, entitled "An act to extend the authority of the Supreme Court in proceedings by writ of mandamus to correct errors in the boards of county canvassers," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Brodsky offered for the consideration of the House a resolution in the words following:

Resolved, That Assembly bill No. 768, general orders No. 941, entitled "An act to authorize the dock department of the city of New York to construct a new pier for the use of the police and fire departments of that city," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. J. L. Wells offered for the consideration of the House a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor, requesting the return of Assembly bill No. 561, general orders No. 642, entitled "An act in relation to taxes and assessments levied prior to January 1, 1874, in the towns annexed from the county of Westchester to the city of New York," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Phillips offered for the consideration of the House a resolution in the words following:

Resolved, That Senate bill No. 41, general orders No. 36, entitled "An act to amend chapter 324 of the Laws of 1850, entitled 'An act for the preservation of the public health,'" be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Also,

Resolved, That Senate bill No. 179, general orders No. 215, entitled "An act making it a felony to steal, destroy or conceal a will, codicil or other testamentary instrument," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Also,

Resolved, That Senate bill No. 257, general orders No. 310, entitled "An act in relation to drains, ditches and water channels constructed before the year 1872 for draining swamps, marshes and other low lands," be referred to the sub-committee of the whole.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Pursuant to the ninth joint rule, Mr. Speaker announced the order of business, third reading of bills.

The bill entitled "An act to amend chapter 70 of the Laws of 1858, entitled 'An act to incorporate the village of Olean, in the county of Cattaraugus, to provide for the election of officers for the same, and to declare the said village a separate road district,' and also to amend chapter 556 of the Laws of 1868, entitled 'An act to amend the charter of the village of Olean, and supplemental thereto,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|-----------------|
| Alvord | Cohen | Hurd | Sanders |
| Andrews | Cookinham | Ingersoll | Sheridan |
| Baker, B. F. | Cullinan | Kennedy | Sherman |
| Baker, C. S. | Curtis | Lefever | Shuit |
| Beach | Cushing | Liddle | Sipp |
| Beates | Deane | Low | Sisson |
| Benedict, E. D. | Dougherty | McAvoy | Skinner |
| Benedict, T. E. | Duell | McCabe | Slingerland |
| Bradley | Duguid | McCarthy | Steele |
| Brennan | Ellis | McDonald | Strait |
| Bridges | Evans | Mead | Tallmadge |
| Brodsky | Ferris | Miller | Terry |
| Bullock | Fish | Mitchell | Travis |
| Carpenter, I. S. | Fiske | Mooers | Tuthill, H. H. |
| Case | Gray | Newman | Tuttle, R. M. |
| Catlin | Griggs | Parker | Van Valkenburgh |
| Chamberlain | Grosse | Phillips | Waterbury |
| Chickering | Hagan | Potter | Wells, J. L. |
| Clark | Havens | Potts | Wiley |
| Clowes | Hayes | Roberts | Wren |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to further amend chapter 40 of the Laws of 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' and the several acts amendatory thereof," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Cushing | Low | Sherman |
| Andrews | Deane | McAvoy | Shuit |
| Baker, B. F. | Dougherty | McCabe | Sipp |
| Baker, C. S. | Duell | McCarthy | Sisson |
| Beach | Duguid | McDonald | Skinner |
| Beates | Ellis | Mead | Slingerland |
| Benedict, E. D. | Evans | Miller | Steele |
| Bradley | Ferris | Mitchell | Strait |
| Brennan | Fish | Mooers | Tallmadge |
| Bridges | Fiske | Newman | Terry |
| Brodsky | Gray | Parker | Travis |
| Bullock | Griggs | Peck | Tuthill, H. H. |
| Carpenter, I. S. | Grosse | Phillips | Tuttle, R. M. |
| Chamberlain | Hagan | Potter | Van Valkenburgh |
| Chickering | Hayes | Potts | Varnum |
| Childs | Hurd | Rhodes | Waterbury |
| Clark | Ingersoll | Roberts | Wells, J. L. |
| Clowes | Lefever | Sanders | Wiley |
| Cookinham | Liddle | Shanley | Wren |
| Cullinan | Lindsay | Sheridan | Youngs |
| Curtis | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to incorporate the Holstein Breeders Association of America," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Cullinan | Low | Shuit |
| Andrews | Curtis | McAvoy | Sipp |
| Baker, B. F. | Cushing | McCabe | Sisson |
| Baker, C. S. | Deane | McCarthy | Skinner |
| Beach | Duell | McDonald | Slingerland |
| Beates | Duguid | Mead | Steele |
| Benedict, E. D. | Ellis | Miller | Strait |
| Benedict, T. E. | Evans | Mitchell | Tallmadge |
| Bradley | Ferris | Mooers | Terry |
| Brennan | Fish | Newman | Thilemann |
| Bridges | Fiske | Parker | Travis |
| Brodskey | Gray | Peck | Tuthill, H. H. |
| Bullock | Griggs | Phillips | Tuttle, R. M. |
| Carpenter, I. S. | Grosse | Potter | Van Valkenburgh |
| Case | Hagan | Potts | Varnum |
| Chamberlain | Hayes | Rhodes | Warner |
| Chickering | Hurd | Roberts | Waterbury |
| Childs | Ingersoll | Sanders | Wells, J. L. |
| Clark | Kennedy | Seeley | Wiley |
| Clowes | Lefever | Shanley | Wren |
| Cohen | Liddle | Sheridan | Youngs |
| Cookinham | Lindsay | Sherman | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Private Secretary of the Governor appeared before the bar of the House, and presented a message in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }
ALBANY, May 10, 1880. }

To the Assembly:

Assembly bill No. 237, entitled "An act for the preservation of fish in the waters of Loon lake, in the county of Steuben," is herewith returned without approval.

The object sought to be attained by this bill seems to be abundantly provided for by chapter 534 of the Laws of 1879. If any remedy is necessary beyond what that statute furnishes, the board of supervisors of Steuben county is authorized by chapter 482 of the Laws of 1875 to provide it.

The Constitution provides against certain specific local legislation, and then declares that "the Legislature shall pass general laws providing for the cases enumerated in this section, and for all other cases which in its judgment may be provided for by general laws." The Legislature has, in obedience to this injunction, enacted very complete and effective laws for the preservation of fish and game, and

it would seem to be antagonistic to the spirit of the Constitution to fill up the statute books with local laws on the same subject.

ALONZO B. CORNELL.

On motion of Mr. Alvord, said bill with message was laid on the table.

The bill entitled "An act to amend chapter 426 of the Laws of 1877, entitled 'An act in relation to county treasurers,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Curtis | Lindsay | Shuit |
| Andrews | Cushing | McAvoy | Sipp |
| Baker, B. F. | Deane | McCabe | Sisson |
| Baker, C. S. | Dougherty | McCarthy | Skinner |
| Beach | Duell | McDonald | Slingerland |
| Beates | Duguid | Mead | Steele |
| Benedict, E. D. | Ellis | Miller | Strait |
| Benedict, T. E. | Evans | Mitchell | Tallmadge |
| Bradley | Ferris | Mooers | Terry |
| Brennan | Fish | Newman | Thilemann |
| Bridges | Fiske | Parker | Travis |
| Brodsky | Gorsline | Phillips | Treanor |
| Bullock | Gray | Potter | Tuthill, H. H. |
| Carpenter, I. S. | Griggs | Potts | Tuttle, R. M. |
| Case | Grosse | Rhodes | Van Valkenburgh |
| Chickering | Havens | Roberts | Varnum |
| Childs | Hayes | Sanders | Waterbury |
| Clark | Ingersoll | Seeley | Wells, J. L. |
| Clowes | Kennedy | Shanley | Wiley |
| Cohen | Lefever | Sheridan | Wren |
| Cookinham | Liddle | Sherman | Youngs |
| Cullinan | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence the following resolutions:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor requesting the return of Senate bill entitled "An act to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn, and the various amendments thereto,'" for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein.

Also,

Resolved (if the Assembly concur), That a respectful message be sent to the Governor requesting the return of Senate bill No. 196, entitled "An act establishing the salary of the Deputy Comptroller," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate with a message informing of concurrence therein.

Also,

A resolution requesting the return of Senate bill No. 96, entitled "An act to authorize certain commissioners named in chapter 272 of the Laws of 1879, for the erection of an armory in the city of New York to take lands therefor by lease for ninety-nine years," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, and request their concurrence therein.

The Senate sent for concurrence the following bills:

"An act to amend chapter 818 of the Laws of 1866, entitled "An act to create a separate road district in the town of Middletown, Richmond county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act for the relief of the Five Points House of Industry in the city of New York," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hayes said bill was substituted for Assembly bill No. 493, now on general orders.

"An act to change the name of the Elmira Female College," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

"An act to amend chapter 291 of the Laws of 1867, entitled "An act to incorporate the city of Binghamton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to prohibit the construction of buildings of wood or other combustible materials in a certain portion of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to authorize Long Island City to issue bonds or certificates of indebtedness to an amount not exceeding fifty per cent of sums due for arrears of taxes," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Youngs, and by unanimous consent, said bill was ordered to a third reading.

The bill entitled "An act to incorporate the Grand Lodge Knights of Honor of the State of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|--------------|-----------|---------|---------|
| Alvord | Cookinham | Lindsay | Sherman |
| Andrews | Cullinan | Low | Shuit |
| Baker, B. F. | Curtis | McAvoy | Sipp |

| | | | |
|------------------|-----------|-----------|-----------------|
| Baker, C. S. | Cushing | McCabe | Skinner |
| Beach | Deane | McCarthy | Slingerland |
| Beates | Dougherty | Mead | Steele |
| Benedict, E. D. | Duell | Miller | Strait |
| Benedict, T. E. | Duguid | Mitchell, | Tallmadge |
| Bradley | Ellis | Mooers | Terry |
| Brennan | Evans | Morgan | Thilemann |
| Bridges | Fish | Newman | Travis |
| Brodsky | Fiske | Parker | Treanor |
| Bullock | Gorsline | Phillips | Tuthill, H. H. |
| Carpenter, I. S. | Gray | Pitcher | Tuttle, R. M. |
| Case | Griggs | Potter | Van Valkenburgh |
| Oatlin | Havens | Potts | Varnum |
| Chamberlain | Hayes | Rhodes | Waterbury |
| Chickering | Hurd | Roberts | Wells, J. L. |
| Childs | Ingersoll | Seeley | Wiley |
| Clark | Kennedy | Shanley | Wren |
| Clowes | Lefever | Sheridan | Youngs |
| Cohen | Liddle | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Morgan offered for the consideration of the House a privileged resolution in the words following:

Resolved (if the Senate concur), That the Governor be requested to return, for the purpose of amendment, Assembly bill No. 431, general orders No. 474, entitled "An act authorizing the village of Wells-ville to apportion certain parts of the highway for sidewalk purposes."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The bill entitled "An act releasing all the right, title and interest of the People of the State of New York in and to certain tracts or parcels of land to Peter M. Biegen," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Cullinan | Lindsay | Sherman |
| Andrews | Curtis | Low | Shuit |
| Baker, B. F. | Cushing | McAvoy | Sipp |
| Baker, C. S. | Deane | McCabe | Sisson |
| Beach | Dougherty | McCarthy | Skinner |
| Beates | Duell | Mead | Slingerland |
| Benedict, E. D. | Duguid | Miller | Steele |
| Benedict, T. E. | Ellis | Mitchell | Strait |
| Bradley | Evans | Mooers | Tallmadge |
| Brennan | Fish | Morgan | Terry |
| Bridges | Fiske | Newman | Thilemann |
| Brodsky | Gorsline | Parker | Travis |
| Bullock | Gray | Phillips | Treanor |
| Carpenter, I. S. | Griggs | Pitcher | Tuthill, H. H. |
| Case | Havens | Potter | Tuttle, R. M. |

| | | | |
|-------------|-----------|----------|-----------------|
| Catlin | Hayes | Potts | Van Valkenburgh |
| Chamberlain | Hurd | Rhodes | Varnum |
| Chickering | Husted | Roberts | Waterbury |
| Clark | Ingersoll | Sanders | Wells, J. L. |
| Clowes | Kennedy | Seeley | Wiley |
| Cohen | Lefever | Shanley | Wren |
| Cookinham | Liddle | Sheridan | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to incorporate the Grand Council of the Royal Arcanum of the State of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Cullinan | Liddle | Sherman |
| Andrews | Curtis | Lindsay | Shuit |
| Baker, B. F. | Deane | Low | Sipp |
| Baker, C. S. | Dougherty | McAvoy | Sisson |
| Beach | Duell | McCabe | Skinner |
| Beates | Duguid | Mead | Slingerland |
| Benedict, E. D. | Ellis | Miller | Steele |
| Benedict, T. E. | Evans | Mitchell | Strait |
| Bradley | Fish | Mooers | Tallmadge |
| Brennan | Fiske | Morgan | Terry |
| Bridges | Gorsline | Newman | Thilemann |
| Brodsky | Gray | Parker | Travis |
| Bullock | Griggs | Phillips | Tuthill, H. H. |
| Carpenter, I. S. | Gwinup | Pitcher | Tuttle, R. M. |
| Case | Havens | Potter | Van Valkenburgh |
| Chamberlain | Hayes | Potts | Varnum |
| Chickering | Hurd | Roberts | Waterbury |
| Clark | Husted | Sanders | Wells, J. L. |
| Clowes | Ingersoll | Seeley | Wiley |
| Cohen | Kennedy | Shanley | Wren |
| Cookinham | Lefever | Sheridan | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 26 of the Laws of 1878, entitled 'An act authorizing the city of Kingston to issue bonds for the purpose of creating a fund to pay the principal of the bonded indebtedness of said city, falling due in the years 1879, 1880, 1881 and 1882, and its proportion or quota of the bonded indebtedness of the county of Ulster falling due in said years,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }
{ NOES 4 }

Those who voted in the affirmative, were

| | | | |
|---------|-----------|----------|---------|
| Alvord | Dougherty | McCabe | Sisson |
| Andrews | Duell | McDonald | Skinner |

| | | | |
|------------------|-----------|----------|-----------------|
| Baker, B. F. | Duguid | Mead | Slingerland |
| Baker, C. S. | Ellis | Miller | Steele |
| Beach | Evans | Mitchell | Strait |
| Beates | Fish | Mooers | Tallmadge |
| Benedict, E. D. | Fiske | Newman | Terry |
| Benedict, T. E. | Gorsline | Parker | Thilemann |
| Bradley | Gray | Phillips | Travis |
| Brennan | Griggs | Pitcher | Treanor |
| Bridges | Gwinup | Potter | Tuthill, H. H. |
| Brodsky | Hagan | Potts | Tuttle, R. M. |
| Bullock | Havens | Rhodes | Van Valkenburgh |
| Carpenter, I. S. | Hayes | Roberts | Varnum |
| Case | Hurd | Sanders | Walsh |
| Catlin | Husted | Seeley | Waterbury |
| Chickering | Ingersoll | Shanley | Wells, D. A. |
| Childs | Lefever | Sheridan | Wells, J. L. |
| Clark | Liddle | Sherman | Wiley |
| Clowes | Lindsay | Shuit | Wren |
| Curtis | Low | Sipp | Youngs |
| Deane | McAvoy | | |

Those who voted in the negative, were

| | | | |
|-------------|----------|---------|--------|
| Chamberlain | Cullinan | Kennedy | Morgan |
|-------------|----------|---------|--------|

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act for the better preservation of trees and shrubbery on the islands of Lake George," being announced for a third reading,

On motion of Mr. Terry, and by unanimous consent, said bill was amended in words following:

Section 1, line 3, after the words "Lake George" insert the following: "or hereafter shall erect any building." Same section, line 4, after the word "Commissioners" insert "of the Land Office." Same section, line 7, after the word "injured" insert the following: "and shall also pay a fine of not less than five dollars for each day that said building is allowed to remain after such conviction. In case where conviction is had for erecting any building, the courts shall direct the removal of said building within five days, and if the same is not removed, the person so convicted shall pay a fine of five dollars for each day said building remains after conviction."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|----------|-------------|
| Alvord | Curtis | Lindsay | Shuit |
| Andrews | Deane | Low | Sipp |
| Baker, B. F. | Dougherty | McAvoy | Sisson |
| Baker, C. S. | Duell | McCabe | Skinner |
| Beach | Duguid | Mead | Slingerland |
| Beates | Ellis | Miller | Steele |
| Benedict, E. D. | Evans | Mitchell | Strait |
| Benedict, T. E. | Fish | Mooers | Tallmadge |

| | | | |
|------------------|-----------|----------|-----------------|
| Bradley | Fiske | Morgan | Terry |
| Brennan | Gorsline | Newman | Thilemann |
| Bridges | Gray | Parker | Travis |
| Brodsky | Griggs | Phillips | Treanor |
| Carpenter, I. S. | Gwinup | Pitcher | Tully |
| Case | Hagan | Potter | Tuttle, R. M. |
| Catlin | Havens | Potts | Van Valkenburgh |
| Chamberlain | Hayes | Rhodes | Varnum |
| Chickering | Hurd | Roberts | Waterbury |
| Clark | Husted | Sanders | Wells, J. L. |
| Clowes | Ingersoll | Seeley | Wiley |
| Cohen | Kennedy | Shanley | Wren |
| Cookinham | Lefever | Sheridan | Youngs |
| Cullinan | Liddle | Sherman | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Cushing | Lindsay | Sherman |
| Andrews | Deane | Low | Shuit |
| Baker, B. F. | Dougherty | McAvoy | Sipp |
| Baker, C. S. | Duell | McCabe | Sisson |
| Beach | Duguid | McCarthy | Skinner |
| Beates | Ellis | Mead | Slingerland |
| Benedict, E. D. | Evans | Miller | Steele |
| Benedict, T. E. | Fish | Mitchell | Strait |
| Bradley | Fiske | Mooers | Tallmadge |
| Brennan | Gorsline | Morgan | Terry |
| Bridges | Gray | Newman | Thilemann |
| Brodsky | Griggs | Parker | Travis |
| Bullock | Gwinup | Phillips | Treanor |
| Carpenter, I. S. | Hagan | Pitcher | Tuttle, R. M. |
| Case | Havens | Potter | Van Valkenburgh |
| Catlin | Hayes | Potts | Varnum |
| Chickering | Hurd | Rhodes | Waterbury |
| Clark | Husted | Roberts | Wells, J. L. |
| Clowes | Ingersoll | Seeley | Wiley |
| Cohen | Kennedy | Shanley | Wren |
| Cullinan | Lefever | Sheridan | Youngs |
| Curtis | Liddle | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Andrews offered for the consideration of the House a resolution in the words following:

Resolved, That Senate bill, not printed, introductory No. 298, Assembly, entitled "An act to amend chapter 291 of the Laws of 1867,

entitled 'An act to incorporate the city of Binghamton,' " be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Terry offered for the consideration of the House a resolution in the words following :

Resolved, That the committee of the whole be discharged from the further consideration of Assembly bill No. 327, general orders No. 353, entitled "An act to amend chapter 101, Laws of 1879, entitled 'An act to amend section 28 of article 2 of title 10 of chapter 8, part 3 of the Revised Statutes, relating to summary proceedings to recover the possession of land,'" and that the same be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Cookinham offered for the consideration of the House a resolution in the words following :

Resolved, That Assembly bill No. 779, general orders No. 959, entitled "An act to amend section 4, chapter 381 of the Laws of 1875, entitled 'An act supplemental to an act entitled 'An act to provide for the incorporation of religious societies, passed April 5, 1813, and of the several acts amendatory thereof,'" be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Terry offered for the consideration of the House a resolution in the words following :

Resolved, That the committee of the whole be discharged from the further consideration of Senate bill No. 308, entitled "An act in relation to arrears of personal taxes in the city of New York," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Catlin offered for the consideration of the House a resolution in the words following :

Resolved, That the committee of the whole be discharged from the further consideration of Senate bill No. 226, general orders No. 996, entitled "An act to amend chapter 448 of the Laws of 1863, entitled 'An act to incorporate the Society for the Protection of Destitute Roman Catholic Children in the city of New York,'" and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate returned Assembly bill entitled "An act to amend section 430 of the Code of Procedure," with a message that they have concurred in the passage of the same, with the following amendments:

Section 1, strike out the words "the last paragraphs of" and "four hundred and thirty," in lines 1 and 2 ; and after "section," line 1, insert "seventeen hundred and eighty-six ;" after the word "of," line

2, insert "civil;" strike out all of section, after the word "follows," in line 2, and insert as follows:

§ 1786. An action, specified in the last section, may be maintained by the Attorney-General in the name and in behalf of the People. And whenever a creditor, or stockholder of any corporation, submits to the Attorney-General a written statement of facts, verified by oath, showing grounds for an action under the provisions of the last section, and the Attorney-General omits, for sixty days after this submission, to commence an action specified in the last section, then, and not otherwise, such creditor, or stockholder, may apply to the proper court for leave to commence such an action, and on obtaining leave may maintain the same accordingly.

§ 2. Section 2011 of the Code of the Civil Procedure is hereby amended so as to read as follows:

§ 2011. A writ shall not be issued, by virtue of either of the last three sections, to bring up a prisoner sentenced to death. Nor shall it be issued to bring up a prisoner confined under any other sentence for a felony, except where the application is made in behalf of the people to bring him up as a witness on the trial of an indictment, and then only by and in the discretion of a justice of the Supreme Court or a judge of a superior city court, upon such notice to the district attorney of the county wherein the prisoner was convicted, and upon such terms and conditions and under such regulations as the judge prescribes.

§ 3. This act shall take effect on the second day of September next.

Amend the title so as to read as follows: "An act to amend the Code of Civil Procedure."

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Curtis | Liddle | Sherman |
| Andrews | Cushing | Lindsay | Shuit |
| Baker, B. F. | Davis | Low | Sipp |
| Baker, C. S. | Deane | McAvoy | Sisson |
| Beach | Duell | McCarthy | Skinner |
| Beates | Duguid | McDonald | Slingerland |
| Benedict, E. D. | Ellis | Miller | Steele |
| Benedict, T. E. | Evans | Mitchell | Strait |
| Bradley | Fish | Mooers | Tallmadge |
| Brennan | Fiske | Morgan | Terry |
| Bridges | Gorsline | Newman | Thilemann |
| Brodsky | Gray | Parker | Travis |
| Bullock | Griggs | Phillips | Treanor |
| Carpenter, I. S. | Gwinup | Pitcher | Tuthill, H. H. |
| Case | Hagan | Potter | Tuttle, R. M. |
| Catlin | Havens | Potts | Van Valkenburgh |
| Chamberlain | Hayes | Rhodes | Varnum |
| Chickering | Hurd | Roberts | Waterbury |
| Clark | Husted | Sanders | Wells, J. L. |
| Clowes | Ingersoll | Seeley | Wren |
| Cohen | Kennedy | Shanley | Younge |
| Cullinan | Lefever | Sheridan | |

Ordered, That the Clerk return said bill to the Senate with a message informing of concurrence in their amendments.

Senate bill entitled "An act to establish the compensation of the county judge and judge and surrogate of the county of Orange," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }
{ NOES 3 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|-----------------|
| Alvord | Clowes | Havens | Phillips |
| Andrews | Cohen | Hayes | Potts |
| Baker, B. F. | Cookinham | Hurd | Roberts |
| Baker, C. S. | Cullinan | Husted | Sanders |
| Beach | Curtis | Ingersoll | Seeley |
| Beates | Cushing | Kennedy | Sheridan |
| Benedict, E. D. | Davis | Lefever | Sherman |
| Bennett | Deane | Liddle | Shuit |
| Bradley | Duell | Low | Sisson |
| Brennan | Duguid | McAvoy | Skinner |
| Bridges | Ellis | McCabe | Slingerland |
| Brodscky | Evans | McCarthy | Steele |
| Bullock | Fish | McDonald | Tallmadge |
| Carpenter, I. S. | Fiske | Miller | Terry |
| Case | Fitzgerald | Mitchell | Tuttle, R. M. |
| Catlin | Gorsline | Mooers | Van Valkenburgh |
| Chamberlain | Gray | Morgan | Waterbury |
| Chase | Griggs | Nowlan | Welch, J. L. |
| Chickering | Grosse | O'Brien | Wren |
| Clark | Gwinup | Parker | Youngs |

Those who voted in the negative, were

| | | |
|---------|--------|--------|
| Pitcher | Rhodes | Travis |
|---------|--------|--------|

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act for the protection of corporations organized for generating and distributing steam for heating and other purposes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|-----------------|----------|----------|-------------|
| Alvord | Cullinan | Lefever | Sipp |
| Andrews | Curtis | Liddle | Sisson |
| Baker, B. F. | Cushing | Low | Skinner |
| Baker, C. S. | Davis | McAvoy | Slingerland |
| Beach | Deane | McCarthy | Strait |
| Beates | Duell | McDonald | Tallmadge |
| Benedict, E. D. | Duguid | Miller | Terry |

| | | | |
|------------------|-----------|----------|-----------------|
| Benedict, T. E. | Evans | Mooers | Tozier |
| Bradley | Ferris | Morgan | Travis |
| Brennan | Fish | O'Brien | Treanor |
| Bridges | Fiske | Parker | Tuthill, H. H. |
| Brodsky | Gibbs | Phillips | Tuttle, R. M. |
| Bullock | Gorsline | Potter | Van Valkenburgh |
| Carpenter, I. S. | Gray | Potts | Varnum |
| Catlin | Griggs | Rhodes | Walsh |
| Chamberlain | Grosse | Sanders | Waterbury |
| Chase | Hayes | Seeley | Wells, J. L. |
| Chickering | Hurd | Shanley | Wiley |
| Clark | Husted | Sherman | Wren |
| Clowes | Ingersoll | Shuit | Youngs |
| Cookinham | Kennedy | | |

Those who voted in the negative, were
Lindsay

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to authorize the Buffalo City Cemetery Association to acquire additional land and to erect a building for office purposes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Cookinham | Low | Sherman |
| Andrews | Cullinan | McAvoy | Shuit |
| Baker, B. F. | Curtis | McCabe | Sipp |
| Baker, C. S. | Cushing | McCarthy | Sisson |
| Beach | Davis | McDonald | Skinner |
| Beates | Deane | Mead | Slingerland |
| Benedict, E. D. | Duguid | Miller | Steele |
| Benedict, T. E. | Ellis | Mitchell | Strait |
| Bradley | Evans | Mooers | Tallmadge |
| Brennan | Fish | Newman | Terry |
| Bridges | Gorsline | O'Brien | Travis |
| Brodsky | Gray | Parker | Treanor |
| Bullock | Griggs | Phillips | Tuthill, H. H. |
| Carpenter, I. S. | Grosse | Potter | Tuttle, R. M. |
| Case | Gwinup | Potts | Van Valkenburgh |
| Catlin | Hayes | Rhodes | Varnum |
| Chamberlain | Husted | Russell | Waterbury |
| Chase | Ingersoll | Sanders | Wells, J. L. |
| Chickering | Lefever | Seeley | Wiley |
| Clowes | Liddle | Shanley | Wren |
| Cohen | Lindsay | Sheridan | Youngs |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to provide for the payment of certain work executed in connection with the construction of the outlet sewer in East Forty-second street in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 18 }
{ NOES 32 }

Those who voted in the affirmative, were

| | | | |
|--------------|-------------|----------|-----------------|
| Alvord | Chamberlain | Parker | Tallmadge |
| Baker, B. F. | Hayes | Potter | Van Valkenburgh |
| Beach | McAvoy | Shanley | Walsh |
| Beates | McCarthy | Sheridan | Wells, J. L. |
| Oatlin | McDonald | | |

Those who voted in the negative, were

| | | | |
|-----------------|---------|----------|----------------|
| Baker, C. S. | Cushing | Havens | Sanders |
| Benedict, E. D. | Davis | Husted | Seeley |
| Bradley | Deane | Low | Shuit |
| Brodsky | Duguid | Miller | Skinner |
| Bullock | Fiske | Mitchell | Tuthill, H. H. |
| Case | Griggs | Mooers | Tuttle, R. M. |
| Chickering | Große | Potts | Varnum |
| Cullinan | Gwinup | Roberts | Waterbury |

Mr. Husted moved to reconsider the vote by which said bill was lost and that the motion do lay upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate returned Assembly bill entitled "An act to prevent interference with owners and captains of steamers engaged in the towing business," with a message that they have concurred in the passage of the same with the following amendments:

Add at end of section 1 the following: "But the provisions of this section shall not apply to the towing of canal boats, and nothing herein contained shall repeal or in any manner alter or affect any existing laws or regulation in regard to pilotage in the port of New York."

Insert as section 4 the following:

"Section 4. Nothing in this act contained shall affect or apply to the waters of Lake Champlain."

Make section 4 section 5.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|----------|----------|-------------|
| Alvord | Cullinan | Liddle | Sipp |
| Andrews | Curtis | Lindsay | Sisson |
| Baker, B. F. | Cushing | Low | Skinner |
| Baker, C. S. | Davis | McCabe | Slingerland |
| Beach | Deane | McDonald | Steele |
| Beates | Duguid | Miller | Strait |
| Benedict, E. D. | Ellis | Mooers | Tallmadge |
| Bradley | Evans | Morgan | Terry |
| Brennan | Fish | Newman | Travis |

| | | | |
|------------------|-----------|----------|----------------|
| Bridges] | Fiske | Parker | Tuthill, H. H. |
| Brodsky | Goralline | Pitcher | Tuttle, R. M. |
| Bullock | Gray | Potter | Varnum |
| Carpenter, I. S. | Griggs | Potts | Walsh |
| Case | Gwinup | Rhodes | Waterbury |
| Catlin | Hagan | Sanders | Wells, J. L. |
| Chamberlain | Hayes | Seeley | Wiley |
| Childs | Husted | Shanley | Wren |
| Clark | Ingersoll | Sheridan | Youngs |
| Clowes | Kennedy | Shuit | Mr. Speaker |
| Cohen | Lefever | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

Senate bill entitled "An act to incorporate the Temple Beth Zion of Buffalo, New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Cullinan | Lefever | Sherman |
| Andrews | Curtis | Liddle | Shuit |
| Baker, B. F. | Cushing | Lindsay | Sipp |
| Baker, C. S. | Davis | Low | Sisson |
| Beach | Deane | McCabe | Skinner |
| Beates | Dougherty | McCarthy | Slingerland |
| Benedict, E. D. | Douglass | McDonald | Tallmadge |
| Benedict, T. E. | Duguid | Miller | Terry |
| Bradley | Evans | Mitchell | Travis |
| Brodsky | Ferris | Morgan | Tuthill, H. H. |
| Bullock | Fish | Parker | Tuttle, R. M. |
| Carpenter, I. S. | Fiske | Pitcher | Varnum |
| Case | Goralline | Potter | Walsh |
| Catlin | Griggs | Rhodes | Waterbury |
| Chamberlain | Gwinup | Roberts | Wells, J. L. |
| Childs | Hayes | Sanders | Wiley |
| Clark | Husted | Seeley | Wren |
| Clowes | Ingersoll | Shanley | Youngs |
| Cohen | Kennedy | Sheridan | Mr. Speaker |
| Cookinham | | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate returned Assembly resolution asking the return from the Governor of Assembly bill No. 193, general orders No. 210, entitled "An act to establish and maintain a police force in the city of Troy," for amendment, with a message informing that the Senate had concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

A message from the Senate was received and read, informing of concurrence in the amendments of the Assembly to the bills entitled as follows:

"An act to reappropriate certain moneys in the treasury for the improvement of the Champlain canal, and of the Glen's Falls feeder."

"An act to amend chapter 176 of the Laws of 1872, entitled 'An act in relation to the village of Canandaigua, and to provide a police justice and police constables in said village, and defining their jurisdiction, power and duties.'"

"An act in relation to Fourth avenue in the city of Brooklyn."

"An act to secure the registration of the births of children of residents of the city of New York, occurring during the temporary absence from such city of the parents of such children and respecting transcripts of the records," with a message that they have concurred in the amendments made therein in the Assembly.

Ordered, That the Clerk return said bills to the Senate.

Mr. Alvord moved that this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

And at nine o'clock and forty-five minutes the House adjourned.

TUESDAY MORNING, MAY 11, 1880.

The House met pursuant to adjournment.

Prayer by Rev. J. W. Alderman.

The journal of yesterday was read and approved.

By unanimous consent,

Mr. R. M. Tuttle offered for the consideration of the House a resolution in the words following:

Resolved, That Assembly bill No. 672, entitled "An act to amend chapter 426 of the Laws of 1847 for the incorporation of villages, so far as the same relates to the village of Corning, in the county of Steuben," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act in relation to the sale and conveyance of any interest in real estate belonging to lunatics or idiots or habitual drunkards."

"An act supplementary to chapter 441 of the Laws of 1864, entitled 'An act in relation to the performance of highway labor in Queens county.'"

"An act to authorize the investment of moneys applicable to the redemption and payment of bonds of the town of Westport, Essex county, New York, in real estate security."

"An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors.'"

"An act to amend chapter 774 of the Laws of 1872, entitled 'An act to incorporate the fire department of the village of Watkins.'"

"An act making it unlawful for the officers of any orphan asylum, charitable institution or other reformatory or temporary home for destitute children in this State, having the care or custody of any child or children between the ages of two and sixteen years, to employ in the care of any such child or children the services of any inmate of any poor-house, alms-house, work-house or penitentiary."

"An act to release to the trustees of the Philadelphia Eye and Ear Infirmary any claim to the estate of Ann Margaret Shinn, deceased."

"An act to amend chapter 126 of the Laws of 1861, entitled 'An act to authorize the election of one overseer of the poor in the town of Saugerties, Ulster county.'"

"An act in relation to assessments for taxes in Long Island City."

"An act to repeal chapter 47 of the Laws of 1879, entitled 'An act authorizing the reduction of pay of certain town officers in the county of Sullivan.'"

"An act authorizing the incorporation of Villa Park and suburban homestead associations."

"An act in relation to unpaid taxes and water assessments in Long Island City."

"An act amending subdivision 7, chapter 448 of the Laws of 1876, commonly known as the Code of Civil Procedure."

"An act to further amend chapter 459 of the Laws of 1862, entitled 'An act to prevent animals from running at large in the public highways, and the several acts amendatory thereof and supplemental thereto.'"

"An act to vest in the board of supervisors certain additional powers."

"An act for the better security of the public health and the prevention of nuisances in the county of New York."

"An act to amend chapter 36 of the Laws of 1873, entitled 'An act to provide for a supply of water in the city of Yonkers.'"

"An act in relation to the highways of this State of certain width."

"An act for the relief of Peter Kehr, John A. Kellner and Louis Ott."

"An act to authorize cities and incorporated villages to charge license fees to persons doing a retail business on the canals of this State."

By unanimous consent,

Mr. Liddle offered for the consideration of the House a resolution in the words following:

Resolved, That Senate bill No. 280, general orders No. 835, entitled "An act to amend chapter 918 of the Laws of 1871, entitled 'An act to amend the charter of the city of Cohoes,'" be substituted for Assembly bill No. 625, general orders No. 718, on the same subject, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Also,

Resolved, That Senate bill No. 279, general orders No. 898, entitled "An act to repeal chapter 281 of the Laws of 1876, entitled 'An act to amend an act entitled 'An act to provide for a supply of water in the village of Cohoes,'" and also section 2 of chapter 275 of the Laws of 1870, entitled "An act to amend an act entitled 'An act to provide for a supply of water in the village of Cohoes,'" and now on general orders, be substituted for Assembly bill No. 670, general orders No. 789, on the same subject, and that the same be ordered to a third reading."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof

By unanimous consent,

Mr. Evans offered for the consideration of the House a resolution in the words following:

Resolved, That Senate bill No. 145, general orders No. 174, entitled "An act to amend an act entitled 'An act to incorporate the Montezuma Turnpike and Bridge Company,'" be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Tallmadge offered for the consideration of the House a resolution in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of Assembly bill No. 600, general orders No. 687, entitled "An act further to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn and the various amendments thereof,'" and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Alvord moved to discharge the committee of the whole from the further consideration of Assembly bill No. 306, entitled "An act supplementary to act chapter 374 of the Laws of 1878, entitled 'An act to amend chapter 200 of the Laws of 1874, entitled 'An act to authorize the appraisal and sale of leased fine salt lots on the Onondaga Salt Springs Reservation by the Commissioners of the Land Office, and to authorize the sale of certain coarse salt lands, the removal of vats therefrom, and the purchase of other lands in lieu thereof,'" and that said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Speaker presented a communication from the mayor of the city of New York, accompanied by petition; which were read and referred to the committee on affairs of cities.

Pursuant to the ninth joint rule, Mr. Speaker announced the order of business, third reading of bills.

Senate bill entitled "An act to provide for the reporting of appointments to the benevolent institutions of the State," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|----------|----------|-------------|
| Alvord | Davis | McAvoy | Shuit |
| Baker, C. S. | Deane | McCabe | Sipp |
| Beach | Douglass | McDonald | Sisson |
| Beates | Duguid | Mead | Skinner |
| Benedict, E. D. | Ellis | Miller | Slingerland |

| | | | |
|------------------|------------|----------|----------------|
| Benedict, T. E. | Evans | Mooers | Steele |
| Bradley | Ferris | Morgan | Strait |
| Brodsky | Fiske | Newman | Tallmadge |
| Carpenter, E. A. | Fitzgerald | Nowlan | Terry |
| Case | Gibbs | O'Brien | Treanor |
| Chamberlain | Gorsline | O'Connor | Tully |
| Chickering | Gray | Parker | Tuthill, H. H. |
| Clancy | Griggs | Phillips | Tuttle, R. M. |
| Clowes | Hoffman | Potts | Varnum |
| Comstock | Howland | Rhodes | Warner |
| Congdon | Hurd | Root | Waterbury |
| Crapser | Ingersoll | Russell | Wells, J. L. |
| Cullinan | Kennedy | Seeley | Wren |
| Curtis | Lefever | Shanley | Youngs |
| Cushing | Low | Sherman | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to confirm the official acts of James S. Williams, Endelmer E. Moon and Theodore S. Cowles, commissioners of excise in and for the town of Tully, in the county of Onondaga," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Cullinan | Kennedy | Sanders |
| Andrews | Curtis | Lefever | Seeley |
| Baker, C. S. | Cushing | Lindsay | Shanley |
| Beach | Davis | Low | Shuit |
| Beates | Deane | McAvoy | Sipp |
| Benedict, E. D. | Douglass | McCabe | Sisson |
| Benedict, T. E. | Duell | McDonald | Skinner |
| Bennett | Duguid | Mead | Steele |
| Bradley | Ellis | Miller | Strait |
| Bridges | Evans | Mooers | Tallmadge |
| Brodsky | Ferris | Morgan | Terry |
| Bullock | Fish | Newman | Titus |
| Carpenter, E. A. | Fiske | Nowlan | Travis |
| Carpenter, I. S. | Fitzgerald | O'Brien | Treanor |
| Case | Gibbs | O'Connor | Tully |
| Chamberlain | Gorsline | Parker | Tuthill, H. H. |
| Chase | Gray | Peck | Tuttle, R. M. |
| Chickering | Griggs | Phillips | Varnum |
| Clancy | Havens | Potts | Warner |
| Clowes | Hoffman | Rhodes | Waterbury |
| Cohen | Howland | Roberts | Wells, J. L. |
| Comstock | Hurd | Root | Wren |
| Cookinham | Ingersoll | Russell | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend section 27, article 2, title 2, chapter 1, part 4 of the Revised Statutes of the State of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Curtis | Lefever | Shanley |
| Baker, C. S. | Cushing | Lindsay | Shuit! |
| Beach | Davis | Low | Sipp |
| Beates | Deane | McAvoy | Sisson |
| Benedict, E. D. | Dougherty | Mead | Skinner |
| Benedict, T. E. | Douglass | Miller | Slingerland |
| Bradley | Duell | Mooers | Steele |
| Bridges | Duguid | Morgan | Strait |
| Brodsky | Ellis | Newman | Tallmadge |
| Carpenter, I. S. | Evans | Nowlan | Terry |
| Case | Ferris | O'Brien | Titus |
| Chamberlain | Fish | Parker | Travis |
| Chase | Gibbs | Peck | Treanor |
| Chickering | Gorsline | Phillips | Tuthill, H. H. |
| Childs | Gray | Potts | Tuttle, R. M. |
| Clark | Griggs | Rhodes | Varnum |
| Clowes | Havens | Roberts | Warner |
| Comstock | Hoffman | Root | Waterbury |
| Cookinham | Howland | Russell | Wells, J. L. |
| Crapser | Ingersoll | Sanders | Wren |
| Cullinan | Kennedy | Seeley | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to incorporate the Robert Emmet Philo-Celtic Literary Society in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|----------------|
| Alvord | Crapser | Ingersoll | Shanley |
| Baker, C. S. | Cullinan | Kennedy | Shuit |
| Beach | Curtis | Lefever | Sipp |
| Beates | Cushing | Liddle | Sisson |
| Benedict, E. D. | Davis | Lindsay | Skinner |
| Benedict, T. E. | Deane | Low | Slingerland |
| Bennett | Dougherty | McCabe | Steele |
| Bradley | Douglass | Mead | Strait |
| Bridges | Duell | Miller | Tallmadge |
| Brodsky | Duguid | Mooers | Terry |
| Carpenter, E. A. | Ellis | Morgan | Titus |
| Carpenter, I. S. | Evans | Newman | Travis |
| Case | Ferris | Nowlan | Treanor |
| Catlin | Fish | O'Brien | Tully |
| Chamberlain | Fitzgerald | Parker | Tuthill, H. H. |
| Chase | Gibbs | Peck | Tuttle, R. M. |
| Chickering | Gorsline | Potts | Varnum |
| Childs | Gray | Rhodes | Walsh |

| | | | |
|-----------|---------|---------|--------------|
| Clancy | Griggs | Roberts | Waterbury |
| Clark | Havens | Root | Wells, J. L. |
| Clowes | Hoffman | Russell | Wren |
| Comstock | Howland | Sanders | Youngs |
| Cookinham | Hurd | Seeley | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Varnum (introductory No. 1181), entitled "An act to provide for cleaning the streets of the city of New York, and the collection and disposition of the ashes, garbage and street sweepings in said city," reported the same for the consideration of the House, with amendments.

On motion of Mr. Varnum, and by unanimous consent, said bill was recommitted to the committee on affairs of cities, when printed, with power to report said bill complete.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Varnum (introductory No. 1182), entitled "An act to facilitate the speedy and economical disposition of refuse in the city of New York," reported the same for the consideration of the House, with amendments.

On motion of Mr. Varnum, and by unanimous consent, said bill was recommitted to the committee on affairs of cities, when printed, with power to report said bill complete.

Mr. Varnum, from the committee on affairs of cities, presented a supplemental report from said committee upon street cleaning in the city of New York; which was laid on the table and ordered printed.

(*See Doc. No. 112.*)

The bill entitled "An act to amend section 2 of chapter 405 of the Laws of 1879, entitled 'An act to amend sections 2 and 10 of chapter 248 of the Laws of 1878,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|----------------|
| Alvord | Crapser | Ingersoll | Seeley |
| Andrews | Curtis | Kennedy | Sherman |
| Baker, B. F. | Cushing | Lefever | Shuit |
| Baker, C. S. | Davis | Liddle | Sipp |
| Beach | Deane | Lindsay | Sison |
| Beates | Dougherty | Low | Skinner |
| Benedict, E. D. | Douglass | McAvoy | Slingerland |
| Bradley | Duell | Mead | Steele |
| Brennan | Duguid | Miller | Tallmadge |
| Bridges | Ellis | Mitchell | Terry |
| Brodsky | Evans | Moers | Titus |
| Carpenter, E. A. | Ferris | Morgan | Travis |
| Carpenter, I. S. | Fish | Newman | Treanor |
| Case | Fitzgerald | Nowlan | Tuthill, H. H. |
| Catlin | Gibbs | O'Brien | Tuttle, R. M. |

| | | | |
|-------------|----------|----------|-----------------|
| Chamberlain | Gorsline | Parker | Van Valkenburgh |
| Chase | Gray | Peck | Varnum |
| Chickering | Griggs | Phillips | Warner |
| Childs | Havens | Potts | Waterbury |
| Clark | Hayes | Rhodes | Wells, D. A. |
| Clowes | Hoffman | Roberts | Wells, J. L. |
| Comstock | Howland | Root | Wren |
| Congdon | Hurd | Russell | Youngs |
| Cookinham | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to incorporate the Bachelor Club of the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 76 }
{ NOES 11 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Andrews | Comstock | Lefever | Sisson |
| Baker, B. F. | Congdon | Liddle | Skinner |
| Baker, C. S. | Curtis | Low | Slingerland |
| Beach | Davis | McAvoy | Steele |
| Beates | Duguid | McCabe | Strait |
| Benedict, E. D. | Evans | Mead | Tallmadge |
| Benedict, T. E. | Fish | Miller | Terry |
| Brennan | Fitzgerald | Mooers | Titus |
| Bridges | Gibbs | Morgan | Travis |
| Brodsky | Gorsline | Newman | Treanor |
| Bullock | Gray | O'Brien | Tully |
| Carpenter, I. S. | Griggs | O'Connor | Tuthill, H. H. |
| Case | Grosse | Parker | Varnum |
| Catlin | Hayes | Rhodes | Warner |
| Chamberlain | Hoffman | Roberts | Waterbury |
| Chase | Hurd | Russell | Wells, D. A. |
| Chickering | Husted | Shanley | Wells, J. L. |
| Clark | Ingersoll | Shuit | Wren |
| Clowes | Kennedy | Sipp | Youngs |

Those who voted in the negative, were

| | | | |
|---------|---------|--------|--------|
| Alvord | Crapser | Nowlan | Root |
| Bradley | Cushing | Peck | Seeley |
| Childs | Howland | Potts | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the relief of Isaac Piser," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|---------|---------|---------|---------|
| Alvord | Cushing | Lefever | Sherman |
| Andrews | Davis | Liddle | Shuit |

| | | | |
|------------------|-----------|----------|-----------------|
| Baker, B. F. | Douglass | Lindsay | Sipp |
| Baker, C. S. | Duell | Low | Sisson |
| Beates | Duguid | McAvoy | Skinner |
| Benedict, T. E. | Ellis | McCabe | Slingerland |
| Bridges | Evans | Mead | Steele |
| Brodskey | Ferris | Miller | Tallmadge |
| Bullock | Fish | Moore | Terry |
| Carpenter, I. S. | Gibbs | Morgan | Titus |
| Case | Gorsline | Newman | Travis |
| Catlin | Gray | Nowlan | Treanor |
| Chamberlain | Griggs | O'Brien | Tully |
| Chase | Hagan | O'Connor | Tuthill, H. H. |
| Chickering | Havens | Parker | Van Valkenburgh |
| Childs | Hayes | Potts | Varnum |
| Clark | Hoffman | Rhodes | Warner |
| Clowes | Howland | Roberts | Waterbury |
| Comstock | Hurd | Root | Wells, D. A. |
| Congdon | Husted | Russell | Wells, J. L. |
| Cookinham | Ingersoll | Seeley | Wren |
| Crapser | Kennedy | Shanley | Youngs |
| Curtis | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The conference committee of the Senate and Assembly, in the matter of Senate bill No. 328, entitled "An act further to regulate the admission to this State of fire insurance companies from other countries than the United States," respectfully report that they agreed upon the following amendments:

Add at the end of the first section of engrossed bill the following: "providing that before any such company shall be admitted to transact business in this State, it shall execute under its corporate seal and the hand of its president by authority of its board of directors, and file with said Superintendent an agreement that it will not apply to remove into the United States court any action brought against it in any court of this State; and that if it shall make any such application, its authority to transact the business of insurance in this State shall cease and determine; and whenever it shall appear to the Superintendent of the Insurance Department that any such company has made such application to remove such an action, contrary to such agreement, he shall revoke the certificate of such company to do business in this State, and notify the agents thereof, and the agents of such company after such notice shall discontinue the issuing of any new policy."

Restore section 5, engrossed bill, as section 4; change section 4 to section 5, and amend title by adding after the word "fire" the words "or marine," and striking out all after the words "United States," so that it shall read

"An act further to regulate the admission to this State of fire and marine insurance companies from other countries than the United States."

F. A. SCHROEDER,
J. SEEBACHER,
WM. N. ROCKWELL,
Senate Committee.

D. W. TALLMADGE,
WILLIAM H. CATLIN,
CHARLES H. RUSSELL,
W. N. STEELE,
JOHN SANDERS,
Assembly Committee.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|------------|-----------|-----------------|
| Alvord | Curtis | Ingersoll | Seeley |
| Andrews | Cushing | Kennedy | Shanley |
| Baker, B. F. | Davis | Lefever | Sherman |
| Baker, C. S. | Deane | Liddle | Shuit |
| Beach | Dougherty | Lindsay | Sipp |
| Beates | Douglass | Low | Sisson |
| Benedict, T. E. | Duell | McAvoy | Skinner |
| Bridges | Duguid | McTernan | Slingerland |
| Brodsky | Ellis | Mead | Steele |
| Bullock | Evans | Mooers | Tallmadge |
| Case | Fish | Morgan | Terry |
| Catlin | Fiske | Newman | Titus |
| Chamberlain | Fitzgerald | Nowlan | Travis |
| Chase | Gibbs | O'Brien | Treanor |
| Chickering | Gorsline | Parker | Tully |
| Childs | Gray | Peck | Tuthill, H. H. |
| Clark | Griggs | Pitcher | Van Valkenburgh |
| Clowes | Havens | Potts | Varnum |
| Comstock | Hayes | Rhodes | Warner |
| Congdon | Hoffman | Roberts | Waterbury |
| Cookinham | Howland | Root | Wells, D. A. |
| Crapser | Hurd | Sanders | Wells, J. L. |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the amendments reported by the conference committee.

The bill entitled "An act relating to fees, percentages and allowances of public officers a burden upon and a charge against the various cities of the State," having been announced for a third reading,

Mr. Varnum moved to recommit said bill to the committee on affairs of cities with instructions to amend by changing section 7 to read as follows:

§ 7. "This act shall take effect on the thirty-first day of July, 1880."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Varnum, from the committee on affairs of cities, reported back said bill, amended pursuant to the instruction of the House.

Said bill, as amended, was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 75 }
{ NOES 24 }

Those who voted in the affirmative, were

| | | | |
|--------------|----------|---------|---------|
| Andrews | Curtis | Lefever | Seeley |
| Baker, B. F. | Davis | Liddle | Shuit |
| Baker, C. S. | Deane | Lindsay | Sipp |
| Beach | Douglass | Low | Sisson |
| Beates | Duell | McCabe | Skinner |

| | | | |
|------------------|------------|----------|-----------------|
| Bradley | Duguid | Mead | Slingerland |
| Brennan | Evans | Miller | Steele |
| Bridges | Ferris | Mitchell | Tallmadge |
| Bullock | Fish | Mooers | Terry |
| Carpenter, I. S. | Fiske | Morgan | Titus |
| Case | Fitzgerald | Nowlan | Travis |
| Chamberlain | Gorsline | Peck | Van Valkenburgh |
| Chase | Gray | Pitcher | Varnum |
| Chickering | Griggs | Potter | Warner |
| Childs | Grosse | Potts | Waterbury |
| Clark | Hurd | Rhodes | Wren |
| Comstock | Husted | Root | Youngs |
| Cookinham | Ingersoll | Russell | Mr. Speaker |
| Crapser | Kennedy | Sanders | |

Those who voted in the negative, were

| | | | |
|-----------------|-----------|----------|--------------|
| Benedict, T. E. | Dougherty | McAvoy | Shanley |
| Bennett | Ellis | Newman | Sherman |
| Clancy | Gibbs | O'Brien | Treanor |
| Clowes | Hagan | O'Connor | Tully |
| Cohen | Havens | Parker | Walsh |
| Cushing | Hoffman | Rhodes | Wells, J. L. |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. D. A. Wells offered for the consideration of the House a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor requesting the return of Assembly bill No. 506, entitled "An act to legalize and confirm the official acts of William L. Robb, a justice of the peace of the town of Perth, in the county of Fulton, N. Y.," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate returned the bill entitled "An act making appropriations for certain expenses of government, and for supplying deficiencies in former appropriations," with a message that they had passed the same, with the following amendments:

Page 3, engrossed bill, line 18, strike out "three" and insert "six;" line 19, after "dollars" insert to wit: "three hundred dollars for carrying Assembly documents, and three hundred dollars for carrying Senate documents."

Same page, after line 26, insert the following:

For George A. Martinus, for services as messenger to the committees on judiciary and miscellaneous corporations of the Senate, for the session of 1880, at \$4 per day, the sum of \$550, or so much thereof as may be necessary.

Same page, line 31, strike out "fifty" and insert "one hundred."

Page 4, after line 34, insert the following:

For Henry A. Glidden, late clerk of the Senate, for preparing a continuation of the general index of documents of the Senate and Assembly from 1870 to 1878, and distributing the same pursuant to a resolution of the Senate adopted May 24, 1877, the sum of \$1,200; and for preparing an index to the journal and testimony taken before the Senate on the trial of the charges against DeWitt C. Ellis, and

distributing the same, pursuant to a resolution of the Senate adopted August 17, 1877, the sum of \$500.

For John W. Vrooman, for arranging the testimony, proceedings and journal of the Senate in the trial of the charges against John F. Smyth, late Superintendent of the Insurance Department, and for preparing an index to the same, and for distributing the same pursuant to resolution of the Senate adopted March 12, 1878, the sum of \$500.

For the Clerk of the Assembly to pay for additional clerical services and for engrossing, \$1,150, to be paid on vouchers giving the items of expenditure and receipts of the parties to whom the same may be paid.

For the Clerk of the Senate to pay for additional clerical services and for engrossing, \$500, to be paid on vouchers giving the items of expenditure and receipts of the parties to whom the same may be paid.

Page 5, after line 23, insert the following:

For Hon. Robert H. Strahan, for compensation of counsel employed by him in the matter of the contested election for Senator, in 1880, for the eighth senatorial district of this State, and for other expenses incurred by him therein, the sum of \$1,000.

For Hon. James Stevens, for compensation of counsel employed by him in the matter of the contested election for Senator, in 1880, for the twenty-second senatorial district of this State, and for other expenses incurred by him therein, the sum of \$750.

For deficiency in appropriations for compensation of criers and attendants of the Court of Appeals to the close of the current fiscal year, \$2,000, or so much thereof as may be necessary.

For deficiency in appropriations for furniture, books, binding, blanks, printing calendar and other necessary expenses of the office of the Clerk of the Court of Appeals, \$500, or so much thereof as may be necessary.

For deficiency in appropriations for repairs, cleaning, labor, gas and other necessary expenses of the State Hall, \$500.

For deficiency in appropriations for maintenance of convicts sentenced to penitentiaries, in pursuance of chapter 158 of the Laws of 1856, chapter 585 of the Laws of 1865, chapter 667 of the Laws of 1866, chapter 574 of the Laws of 1869, chapter 247 of the Laws of 1874, and chapter 571 of the Laws of 1875, \$16,000, or so much thereof as may be necessary.

For the actual and necessary traveling and incidental expenses of the agent of the Comptroller to examine the accounts of auctioneers, \$300, or so much thereof as may be necessary.

For payment to the widow and heirs at law of the late John G. Wasson, of interest at 6 per centum to April 1, 1881, on \$10,000 upon a certificate issued under chapter 830 of the Laws of 1868, \$600.

For the electors of President and Vice-President, and for special messenger, for compensation and expenses, \$4,000, or so much thereof as may be necessary.

For the Comptroller, to pay the expenses of serving notices on occupants of lands to which the State acquired title from the tax sale of 1877, of procuring and recording deeds for and perfecting title to said lands, and of ascertaining the value of lands to which the State has obtained title from tax sales, the sum of \$4,000, or so much thereof as may be necessary.

For the compensation and expenses of the fifth justice of the Su-

preme Court, in the second judicial district, from date of qualification to September 30, 1880, \$4,150, or so much thereof as may be necessary.

For deficiency in appropriations for the stenographers in the second judicial district, appointed under chapter 765 of the Laws of 1868, \$375, said amount to be paid only from moneys which shall have been or shall be paid into the treasury for taxes levied for the purposes of said act, and in pursuance thereof.

To enable the Governor to carry out the provisions of chapter 134 of the Laws of 1878, and 306 of the Laws of 1879, the sum of \$23,000, or so much thereof as may be necessary, payable on vouchers to be approved by the Governor.

For deficiency in appropriations for the salary of the Superintendent of the Insurance Department for the current fiscal year, \$2,000, to be refunded to the treasury of the State by the several insurance companies, associations, persons and agents to whom chapter 366 of the Laws of 1859 applies.

For the Comptroller, for the payment of certain expenses incurred in the investigation against Bernard Reilly, late sheriff of the city and county of New York, and incurred under direction of the Governor, for services of stenographer, printing testimony and proceedings, and for witnesses' fees and disbursements, \$1,500, or so much thereof as may be necessary; and for fees of referees therein, \$1,750; and for payment of certain expenses for board and rooms for Senate committee appointed May 22, 1875, "to investigate the departments and offices of the government of the city and county of New York," \$769.58.

The Comptroller is hereby authorized and empowered to examine or cause to be examined the financial affairs and business administration of the Onondaga salt springs, under the management of the late superintendent, and for that purpose the Comptroller or the officer designated by him to conduct such examination shall have power to administer oaths and to subpoena witnesses, and require the production of books and papers, and the sum of \$750, or so much thereof as may be necessary, is hereby appropriated to carry this provision into effect.

For Blatchford, Seward, Griswold and Da Costa, as attorneys for James Eckerson, in the action hereinafter named, the sum of \$836.36, being the amount in full payment of the principal of a judgment for costs against the People of this State, in favor of said James Eckerson, in an action commenced in the name of the People by Attorney-General Barlow against Mathew D. Bogart, James Eckerson and others, which judgment was docketed in the Albany county clerk's office on the 31st day of December, 1873; and the further sum of \$360.03 for interest on said judgment. The Comptroller shall pay the above sums to the above-named attorneys; upon their producing to, and filing with, the Comptroller a satisfaction of said judgment, certified to be in due form by the Attorney-General.

For Hiscock, Gifford and Doheny, as attorneys for Henry D. Denison and others, in the action hereinafter named, the sum of \$101,889.59, being the amount in full payment of the principal of a judgment for costs and damages against the People of this State, in favor of Henry D. Denison, James J. Belden, A. Cadwell Belden and Thomas Gale, in an action commenced in the name of the People by

the late Attorney-General Pratt against the said Denison, Belden, Belden and Gale, which judgment was docketed in the Albany county clerk's office on the 28th day of April, 1880; the Comptroller shall pay the above sum to the above-named attorneys upon their producing to, and filing with the Comptroller, a satisfaction of said judgment, certified to be in due form by the Attorney-General.

In case the Attorney-General has already taken, or shall, within 60 days after the passage of this act, take legal proceedings to set aside or modify the above-named judgment, no part of the sum above appropriated shall be paid except in accordance with the final decree, order or judgment which may be made by the court upon such proceedings.

For the Attorney-General, to pay the fees of witnesses subpoenaed to attend before the State Board of Audit and the expense of procuring service of subpoenas upon them, \$500, or so much thereof as may be necessary.

For the Attorney-General, to pay for law books necessary to fill up certain uncompleted sets of State and United States law reports, in the library of the Attorney-General, \$500, or so much thereof as may be necessary.

For deficiency in appropriations for furniture, books, binding, blanks, printing and other necessary expenses of the Attorney-General's office, \$500.

Page 6, strike out from line 21 to line 31, both inclusive.

Same page, after line 31, insert the following:

For the Attorney-General to pay counsel fees and necessary expenses incurred in the prosecution of indictments at the Rockland county oyer and terminer against the president and secretary of the Rockland Savings Bank for perjury, embezzlement and larceny, the sum of \$1,400, or so much thereof as may be necessary; and the board of supervisors of the said county, at its next annual session, is hereby authorized and required to raise by tax the amount hereby appropriated, and to pay the same into the treasury of the State; and to pay counsel and attorneys' fees incurred in the prosecution of William E. Gray, indicted, tried and convicted, in 1879, at the New York county oyer and terminer for the forgery of State bounty bonds, the sum of \$1,000.

For Frank S. Smith, for services as counsel to the committee appointed by the Assembly of 1880, to investigate the matters attending the lease of the Dannemora railroad, \$250.

Same page, after the word "Tioga," in line 33, insert "the towns of Bombay and Bangor in the county of Franklin, and the town of Wolcott in the county of Wayne."

Page 7, strike out from line 2 to line 10, both inclusive.

Same page, line 19, after the word "stenographer" insert the following: "and for the services of such commissioners at the rate of \$10 each per day for each day of actual service."

Same page, line 20, after the word "thousand" insert "five hundred."

Same page, line 28, strike out "one" and insert "two."

Same page, lines 28 and 29, strike out "fourteen" and insert "nineteen."

Same page, line 29, strike out "sixty-two" and insert "fifteen."

Page 8, strike out from line 23 to line 27, both inclusive.

Page 9, after line 22, insert the following:

For Ann Higgins, mother of William Higgins, as a gratuity, in full for all claims for damages sustained by her in the loss by death of her said son, who was her sole support and who died on the 18th day of July, 1879, from injuries received by him while employed on the new Capitol, \$1,000.

For the relief of Thomas J. Lawrence, corporal company F, twenty-second regiment, National Guards, who was permanently disabled for life while on duty as required by law in rifle practice at Creedmoor, \$1,000.

For James F. Johnson, as a gratuity, in full for all claims for damages for injuries received by him from the falling of a block of granite upon him while in the employ of the State, on the 4th day of September, 1875, and which necessitated the amputation of a leg, \$1,000.

For Chapman S. Strong, as a gratuity, in full for all claims for damages for injuries received by him as a keeper in Auburn State prison, from the criminal assault of convicts, in November, 1873, and while engaged in the discharge of his duties as such keeper in quelling an outbreak in said prison, \$1,000.

For Lawrence Hagar, father of Charles Hagar, as a gratuity, in full for all claims for damages sustained by him in the loss by death of his said son, who was his sole support, and was killed by falling from a scaffold in March, 1880, while at work on the new Capitol, \$500.

Same page, after line 33, insert the following:

For the payment of a canal certificate given by a late Canal Commissioner to Henry D. Denison, December 14, 1876, addressed to the Comptroller, for removing obstructions from the outlet of Cayuga lake and the channel of Seneca river, between Cross lake and Montezuma, \$542.48, and for interest thereon the sum of \$108.50.

Page 10, line 7, strike out "eight" and insert "four."

Same page, after line 30, insert the following:

The office of State Entomologist is hereby re-established under the direction of the Regents of the University as trustees of the State Museum of Natural History, who are hereby authorized to appoint a suitable person to such position, and the sum of \$2,000 is hereby appropriated for the annual salary of such office.

Page 11, strike out from line 1 to line 4, both inclusive.

Same page, line 14, strike out "twelve" and insert "seventeen."

Same page, line 14, before the word "dollars" insert "and thirty-two."

Same page, after the word "necessary" insert "and for apparatus, five thousand dollars."

Same page, after line 15, insert the following:

For the State Normal and Training School, at Brockport, for addition to buildings, \$20,000; for steam heating apparatus, \$12,148; for tin-roofing of old buildings, \$1,352; for furniture, \$2,000; for sewers, including right of way, \$1,500, and for changing, repairing and ventilating old buildings, \$3,000.

For the State Normal and Training School, at Albany, for repairs to buildings, for additions to apparatus and for furniture and books, \$2,000.

Same page, strike out from line 22 to line 24, both inclusive.

Same page, after line 33, insert the following:

For the purchase of 1,250 copies of volume 1 of Hough's Classified

Abstract of the Laws of New York, during the first century of the State government, at a rate not to exceed \$4 per volume, \$5,000, or so much thereof as may be necessary, to be paid on the certificate of the Secretary of State, and the work to be distributed by him to such offices of record, public officers, and libraries as are now entitled by law to receive the Session Laws of this State.

Same page, after line 12, insert the following:

For the St. Joseph's Institution, for the improved instruction of deaf mutes, at Fordham, for the support and instruction of deaf mutes, for various periods of time, in 1878 and 1879, in addition to those provided for by former appropriations, \$1,789.10, or so much thereof as may be necessary.

Same page, after line 17, insert the following:

For the State Board of Charities, for deficiency in appropriations for current expenses, \$2,000.

For the removal of crippled, blind, lunatic and other infirm alien paupers, to the countries whence they came, the sum of \$3,000, or so much thereof as may be necessary; the State Board of Charities is hereby authorized to cause the removal to the countries whence they came, of any crippled, blind, lunatic or other infirm alien paupers, sent to this country by cities or towns in the various governments of Europe, or by societies, relatives or friends, and who may be found in any poor-house, alms-house or other institutions of charity in this State.

Page 13, after line 21, insert the following:

For the city of Utica, for assessment for the construction of the third and seventh ward sewer outlet, \$482.20; and for the Knox street sewer, \$52.33.

For the city of Syracuse, as an equitable payment of the local assessment and expenses for paving on Salina street, in said city, in front of the Salt Spring office, in 1876, \$382.72, and of the local assessment and expenses for constructing a sewer in Leavenworth avenue and Clark street, in said city, in front of lands belonging to the State, in 1877, \$2,478.76.

Page 14, line 12, strike out "State Engineer and Surveyor" and insert "Superintendent of Public Works."

Same page, line 19, after the word "dollars" insert "but no part of this appropriation shall be expended unless, in the judgment of the State Engineer and Surveyor, the State works cause or contribute to the damages complained of."

Same page, line 28, strike out "five" and insert "seven."

Same page, line 29, before the word "dollars" insert "five hundred."

Page 15, line 9, strike out "two" and insert "four."

Same page, after line 18, insert the following:

For the construction of a bridge over the west branch of the Hudson river, known as the Sacandaga river, near the village of Northville, in the county of Fulton, \$5,000, to be expended under the direction of the supervisor of the town of Northampton, upon vouchers to be approved by the Comptroller.

For the construction of a bridge over Grass river, in the town of Russell, county of St. Lawrence, on the road leading from Canton to Edwards, \$2,500, to be expended under the direction of the supervisor of said town, upon vouchers to be approved by the Comptroller.

Page 16, after line 16, insert the following:

For repairing the highway upon the Cattaraugus Indian reservation, running from Gowanda through the reservation into the town of Perryburgh in the county of Cattaraugus, changing the line thereof, and for the erection and repair of bridges thereon, the sum of \$3,000, to be expended under the supervision of Millin T. Hill, James Welch and Henry Locke, of Gowanda, who are hereby appointed commissioners for that purpose; and for repairing the highway upon such reservation, running from Versailles through the reservation into the town of Collins in Erie county to Lawton's Station, and for the erection and repair of bridges thereon, the sum of \$500, to be expended under the supervision of Elijah H. Lawton and Enos S. Hibbard, of Collins, who are hereby appointed commissioners for that purpose; each of said five commissioners shall receive out of said sums two dollars per day for each full day occupied by him in and about such service, but the total compensation of said first-named three commissioners shall not exceed the sum of \$200; and the total compensation of said last-named two commissioners shall not exceed the sum of \$75; and no part of the sums hereby appropriated shall be paid over to the commissioners in each case until they shall have executed a bond to the people of this State, to be approved by the Comptroller, conditioned that they will faithfully discharge their duties as such commissioners and truly account under oath to the Comptroller for all moneys received by them for the purposes aforesaid, and no part of said sum shall be expended except upon a plan and estimate of said work which will complete it within the sums above appropriated.

For building the necessary culverts and sluices, and for grading and graveling the approaches to the bridge over the Onondaga creek on the Onondaga Indian reservation, and for repairing the roadway to the same, on what is called the William Hill road, the sum of \$1,500, or so much thereof as may be necessary, to be expended under the supervision of Daniel Pinckney, of the town of Onondaga, who is hereby appointed a commissioner for that purpose, who shall receive out of the sum herein appropriated three dollars per day for each full day occupied by him in such service, but his total compensation shall not exceed the sum of \$150, and no part of the sum herein appropriated shall be paid over to said commissioner until he shall have executed a bond to the people of this State, to be approved by the Comptroller, for the faithful performance of his duties as such commissioner.

For building a bridge to be constructed of iron, stone and wood, across the Tonawanda creek, on the Tonawanda Indian reservation, where said creek is crossed by the Akron road, leading from the county of Erie into the county of Genesee, the sum of \$2,200, to be expended under the supervision of Joseph W. Holmes, Alpha E. Bennett, and Daniel Norton, of Alabama, Genesee county, who are hereby appointed commissioners for that purpose, who shall receive out of the sum herein appropriated two dollars per day each for each full day occupied by them in such service, but their total compensation shall not exceed the sum of \$150; and no part of the sum herein appropriated shall be paid over to said commissioners until a like sum of \$2,200 shall be paid to them for the same purpose by the Tonawanda band of Seneca Indians, from their annuities or trust fund interest, nor until such commissioners shall give a bond to the people of the State conditioned for the faithful performance of their duties as such commissioners.

Same page, after line 19, insert the following :

For the Soldiers and Sailors' Home, at Bath, for the erection of a hospital, \$15,000 ; for improvement of grounds, for fencing and for conducting farm, \$10,000 ; and for the erection of a chapel, \$10,000 ; and for additional buildings, \$5,000.

Same page, line 22, strike out " five hundred " and insert " one thousand."

Page 18, after line 7, insert the following :

For the erection of magazines at such State armories as may be designated therefor by the Adjutant-General, and for laying flagging at such armories, the sum of \$5,000, or so much thereof as may be necessary, to be expended under the direction of the chief of ordnance, upon plans to be approved by the Adjutant-General, and paid on the audit of the Adjutant-General and the approval of the commander-in-chief.

The balance remaining unexpended of the sum of \$4,000 appropriated in chapter 272 of the Laws of 1879, " for aiding to uniform separate companies, troops and batteries, in cases where their uniform funds, owing to large enlistments, after their annual musters, shall be inadequate for that purpose," being the sum of \$2,000, is hereby re-appropriated, together with the additional sum of \$1,000, which is hereby appropriated for such purpose, and to aid in uniforming companies of regiments which are in the same exigency for like cause, and for the purchase of such equipments for troops as may be ordered by the Adjutant-General, to be paid on his audit and the approval of the commander-in-chief.

Page 19, strike out from line 13 to line 30, both inclusive.

Same page, after line 12, insert the following :

For replacing the uniforms and equipments belonging to the 21st separate company National Guard, which were injured or destroyed while that company was on duty at West Albany, under the orders of the commander-in-chief, during the riots of July, 1877, as have been or may be audited and allowed by the Adjutant-General, \$1,600, or so much thereof as may be necessary, to be paid to the credit of the uniform and equipment fund of said company, and to be disbursed upon the same audit and regulations as are required in case of payment of other sums from that fund.

For replacing the uniforms and equipments belonging to the 54th regiment National Guard, which were injured or destroyed while that regiment was on duty at Hornellsville, under the orders of the commander-in-chief, during the riots of July, 1877, as have been or may be audited and allowed by the Adjutant-General, \$8,480, or so much thereof as may be necessary, to be paid to the credit of the uniform and equipment fund of said regiment, and to be disbursed upon the same audit and regulations as are required in case of payment of other sums from that fund.

For the Adjutant-General, for paying to the 7th separate company of infantry, third brigade, National Guard (formerly the 3d separate company of infantry, tenth brigade, third division, National Guard), as commutation for rations furnished said company from the 23d to the 29th day of July, 1877, both inclusive, while on duty under orders from the commander-in-chief, \$300, or so much thereof as may be necessary, to be paid on the audit of the Adjutant-General and the approval of the commander-in-chief.

Same page, after line 36, insert the following :

For completing State armory at Newburgh, the sum of \$5,000, to be paid on the audit of the Adjutant-General, and the approval of the commander-in-chief.

Page 20, line 31, after the word "dollars" insert the following :

For flagging and grading walks in yard, \$1,500 ; for general repairs, painting, relaying floors, purchase of tools, repairing fences, carts and wagons, \$1,000 ; for completion of drains and sewers, \$200 ; for repairing keyroom, putting up gun rack, for locks, keys and repairs in prison hall, \$500 ; for altering and repairing guard-house, \$250 ; for relaying floors and building stalls in stable, \$300 ; for making survey and preparing plans and specification for iron fence, \$267 ; for preparing plans and specifications, and superintending putting on of new roof to female prison, \$123.50 ; for new ice-house, \$500 ; for repairing roofs, \$1,000.

Page 21, line 19, after the word "dollars" insert the following :

For 600 feet of hose, \$660.

Page 22, line 28, after the word "dollars" insert the following :

And for counsel fees in the Assembly investigation, in 1880, into the circumstances attending the lease of the Dannemora railroad, \$250.

For the Superintendent of State Prisons, to pay Charles D. Bruyn, assignee of Thomas Hamilton, for balance due said Hamilton on account of materials furnished and delivered to the authorities at the State prison at Sing Sing, the sum of \$2,238.93.

Same page, line 25, after the word "thousand" insert "seven hundred and fifty."

Same page, line 34, after the word "managers" insert the following :

And to provide a fund for carrying on its industries, to be used under the direction of the managers, \$50,000.

Page 23, line 2, after the word "dollars" insert the following :

For a bridge or an earth embankment and extension of railroad across the ravine south of the main asylum building, to the two groups of buildings south of the ravine, \$10,000 ; and for the completion of the laundry floor and enlargement of the steward's office, \$5,000.

Same page, line 23, after the word "necessary" insert the following :

For grading and sub-soiling garden, \$1,000 ; for fertilizer for grounds, \$1,000 ; for grass and garden seeds, \$75 ; for fences, \$5,000 ; and for contingencies, \$5,000.

Same page, line 31, after the word "necessary" insert the following :

And for steam boilers, setting same, and connections ; for renewals and repairs, including re-setting of boilers ; for fixtures for laundry, drying-room and ironing-rooms and equipment of east and west section ; for building driveway under Hudson river railroad bed ; for ventilating pipes ; for iron door and window guards ; for extending water pipes in the laundry ; for coal-sheds and tramway ; for yard walls and fences ; for flooring onebras ; for draining and paving around portions of the buildings ; for plastering air ducts, and for salary of building superintendent, under whose direction the work is to be done, \$24,000.

For the Binghamton asylum for the chronic insane, for window guards ; for repairing vestibules ; for painting interior wards, exten-

sions and stairways; for repairs to administration building; for building kitchen and store-room; for drains and grading; for excavating beneath floors of basement rooms; for iron water tanks and connections; for materials and labor for plumbing and gas-fitting; for furniture for wards, laundry, kitchen and administration building; for fitting up dispensary; for windows in towers; for completing sewerage; for telephonic communication with water-works and city of Binghamton; for farming implements, stock, fertilizers and fencing; for farm buildings; for hay scales; for gas works, laying mains and making connections; for officers' salaries to close of current fiscal year; for deficiency on account of maintenance; for completing, heating and ventilation, including fan-house; and for alterations and repairs of south wing, \$64,590.

Same page, strike out from line 32 to line 35, both inclusive.

Same page, after line 35, insert the following:

For the New York State Asylum for the Blind, at Batavia, for the construction of boiler-house and laundry, and purchase of heating and other apparatus for the same, \$26,768, to be expended on vouchers to be approved by the Comptroller.

For the Thomas asylum for orphan and destitute Indian children, for perfecting bathing arrangement; for building cellar under laundry; for repairs to exterior of buildings, and for erecting building for nursery rooms and hospital, \$3,450.

The paragraph in chapter 272 of the Laws of 1879, which is in the following words: "Hereafter no person who has not resided within the State for at least one year next prior to application for his or her admission into any State asylum for the idiotic, blind, insane or deaf and dumb, shall be admitted as an inmate therein," is hereby amended so as to read as follows:

"Hereafter no pauper who has not resided within the State for at least one year next prior to application for his or her admission into any State asylum for the idiotic, blind, insane, or deaf and dumb, shall be admitted as an inmate therein."

Page 24, line 17, strike out "two" and insert "five."

Same page, lines 17 and 18, strike out "five hundred."

Same page, line 18, after the word "dollars" insert the following:

And for the erection of additional buildings for a primary and a graduating department for boys, \$65,000, but no part of this sum shall be expended except upon plans to be approved by the Comptroller, and upon contracts for the completion of the building at a total cost not to exceed \$100,000.

For the Society for the Reformation of Juvenile Delinquents, on Randall's Island, for deficiency in appropriations for current expenses, \$30,000.

Same page, after line 36, insert the following:

The New Capitol Commissioners are hereby charged with the care and superintendence of the south center portion of the New Capitol building, when completed, and such other portions thereof as may be ready for occupancy on the 1st day of January, 1881, and with the employment of the necessary attendants and laborers therefor, and also with the duty of providing for the heating, lighting and cleaning of the same, and for that purpose and for deficiency in appropriations for the care of the Capitol, the sum of \$25,000 is hereby appropriated, payable on the order of the New Capitol Commissioners, as the same may be required by them.

Page 25, strike out from line 1 to line 9, both inclusive.

Same page, after line 9, insert the following :

For Charles Van Benthuyssen & Sons, for printing, pursuant to concurrent resolution passed March 12, 1880, 2,000 copies of the annual report of the Superintendent of the Insurance Department, fire and life portion complete, 2,000 copies fire and marine portion of said report, and 1,500 copies of the life and casualty portion of said report, and for binding the same in full cloth, gilt, to be paid upon the certificate of the Superintendent of the Insurance Department of the completion and delivery of the said work, \$5,432.19; the said amount to be paid from the surplus fund in the treasury arising from the excess of moneys paid into the treasury by the Superintendent of the Insurance Department over and above the moneys disbursed on account of said department; for printing and binding, pursuant to the resolution of the Assembly adopted May 19, 1879, 2,625 sets, being 7,875 volumes, of the annual report of the Adjutant-General for 1868, being a complete roster of the officers of the volunteer forces of this State during the late war for the preservation of the Union, payable upon due certificate of the proper completion and delivery of the work, \$13,188.22, or so much thereof as may be necessary; for printing and binding 6,000 volumes of the natural history of the State; volume 5, Paleontology, text and plates, the sum of \$13,500, or so much thereof as may be required by the contracts for the publication of said work now in force; for printing testimony taken in the contested election case of Trowbridge against Tighe, in 1879, \$49.76; for printing testimony taken in the investigation of the Brooklyn bridge, in 1879, \$257.37; and for printing testimony taken in the investigation of the Kingston election case, \$163.80.

Page 27, strike out from line 3 to line 9, both inclusive, as follows :

"For furnishing 934 copies of the New York Civil List, pursuant to concurrent resolution of the Legislature, passed February 5, 1878, to be paid on the certificate of the Secretary of State, \$1,868."

Same page, line 16, strike out "six" and insert "seven."

Same page, line 17, strike out "seven hundred and fifty."

Same page, line 23, strike out "three" and insert "four;" strike out "six" and insert "five."

Same page, line 24, strike out "and twenty-five."

Page 28, line 19, strike out the word "and," first occurring.

Same page, line 25, after the word "dollars" insert the following :

For printing and binding, in cloth, proceedings of the university convocation of 1876, \$500, to be paid on the certificate of the secretary of the Board of Regents; for printing and binding, in cloth, the manual of the Regents of the University for 1880, \$700, to be paid on the certificate of the secretary of the Board of Regents; for printing, lithographing, binding and stationery furnished the State Museum of Natural History, \$500, to be paid on the certificate of the director of the museum; for printing 12,000 copies of the report of the State Assessors, pursuant to concurrent resolution of the Legislature passed February 12, 1880, \$800; for printing and lithographing 1,000 copies of the geological map of the Catskill mountain region and the southern counties of the State, and printing the documents accompanying the same, \$2,000, or so much thereof as may be necessary, to be paid on the certificate of secretary of the Board of

Regents ; and for 6,000 copies of the Seventh Annual Report of the Adirondack Survey, furnished pursuant to concurrent resolution of the Legislature passed April 13, 1880, to be paid on the certificate of the Secretary of State, the sum of \$15,000.

Same page, strike out from line 26, inclusive, down to and including line 10, on page 29.

Page 29, after line 10, insert the following :

For Mrs. Barbara Kennedy, widow of Captain John Kennedy, Jr., as a gratuity in full for all claims for damages for the loss by death of her husband, resulting from sickness occasioned by exposure and hardship while in the discharge of his duties as captain in the 8th regiment, National Guard, at Syracuse, under the orders of the commander-in-chief, during the riots of July, 1877, \$1,500.

For building an addition to the State armory at Oswego, on lands recently purchased by the State for such purpose, for the use of a battery of troop of cavalry attached to the 6th brigade, National Guard, the sum of \$15,000, to be expended under the direction of the Adjutant-General, the Inspector-General and the Chief of Ordnance of this State ; but no part of said sum shall be expended by them, except upon a contract for the completion of such addition within the limits of this appropriation.

For the erection of an armory, for the use of the 17th separate company of infantry, at Flushing, Queens county, the sum of \$9,000 ; to be expended under the direction of the Adjutant-General, the Inspector-General and the Chief of Ordnance ; but no part thereof shall be expended until the title to the land upon which such armory is to be constructed shall have been vested in the State free from all incumbrance.

Same page, after line 32, insert the following :

PAYABLE FROM THE UNITED STATES DEPOSIT FUND.

Capital.

For investment of the capital of the United States deposit fund, \$150,000, or so much thereof as may be necessary, in addition to all former appropriations for such purpose.

Revenue.

For the Comptroller to pay damages, attorney's costs and disbursements in the suit of Francis M. Thompson against the commissioners for loaning certain moneys of the United States for the county of Otsego, the sum of \$2,000, or so much thereof as may be necessary.

The bill entitled "An act restricting and defining the powers of the board of estimate and apportionment in the city of New York, and regulating the expenditures of the amounts appropriated by said board," having been announced for a third reading,

Mr. Varnum moved to recommit said bill to the committee on affairs of cities, with instruction to amend as follows :

Section 2, line 3, insert after the word "eighty" the word "one ;" line 3, strike out "forty-five" and insert "fifty ;" line 6, strike out "eight" and insert "nine."

Section 3, line 1, strike out "one" and insert "two ;" line 2, strike out "eighty-eight" and insert "ninety ;" line 6, strike out "eighty-nine" and insert "ninety-one."

Section 4, strike out "require" and insert "authorize."

Add at end of section 6: "But nothing in this act contained shall be construed to confer upon said board of estimate and apportionment any right or authority not now possessed by said board to interfere with the control or management of any department of the city government, or to regulate the number or compensation of the subordinates in any department except with the consent of the head of such department, but except as herein-above limited said board shall possess all the powers conferred upon the local authorities of cities by the provisions of an act entitled 'An act relating to the fees, percentages or allowances of public officers or burdens upon, and a charge against the various cities of the State.'"

Amend section 10 by striking out the word "immediately" and substituting therefor the words "on the first day of August, 1880."

Mr. Hayes moved to further instruct said committee to strike out the fourth section.

M. Titus moved the previous question.

Mr. Speaker put the question, "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the motion of Mr. Varnum, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Hayes, and it was determined in the negative.

{ AYES 43 }
{ NOES 63 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|--------------|
| Andrews | Deane | McCarthy | Sheridan |
| Benedict, T. E. | Dougherty | McDonald | Strait |
| Bennett | Ellis | McTernan | Thilemann |
| Brodsaky | Fitzgerald | Mead | Tormey |
| Bullock | Gibbs | Newman | Treanor |
| Carpenter, E. A. | Hagan | O'Brien | Tully |
| Catlin | Havens | O'Connor | Walsh |
| Clancy | Hayes | Parker | Wells, J. L. |
| Clowes | Hoffman | Potter | Wiley |
| Cohen | Lefever | Rhodes | Youngs |
| Cushing | McAvoy | Shanley | |

Those who voted in the negative, were

| | | | |
|------------------|-----------|-----------|---------------|
| Alvord | Cookinham | Ingersoll | Sherman |
| Baker, B. F. | Crapser | Kennedy | Shuit |
| Baker, C. S. | Cullinan | Liddle | Sipp |
| Beach | Curtis | Lindsay | Sisson |
| Beates | Davis | Low | Skinner |
| Bradley | Douglass | Miller | Slingerland |
| Brennan | Duguid | Mitchell | Steele |
| Bridges | Evans | Mooers | Tallmadge |
| Carpenter, I. S. | Ferris | Nowlan | Titus |
| Case | Fish | Peck | Tuttle, R. M. |
| Chamberlain | Fiske | Phillips | Varnum |
| Chase | Gorsline | Pitcher | Warner |
| Chickering | Gray | Potts | Waterbury |
| Childs | Grosse | Roberts | Wells, D. A. |
| Clark | Howland | Root | Wren |
| Comstock | Husted | Seeley | |

Said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 67 }
{ NOES 34 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|-----------------|
| Alvord | Comstock | Husted | Shuit |
| Andrews | Cookinham | Ingersoll | Sisson |
| Baker, B. F. | Crapser | Kennedy | Skinner |
| Baker, C. S. | Cullinan | Liddle | Slingerland |
| Beach | Curtis | Low | Steele |
| Beates | Davis | Miller | Terry |
| Bradley | Douglass | Mitchell | Titus |
| Brennan | Duell | Mooers | Tuthill, H. H. |
| Bridges | Duguid | Morgan | Tuttle, R. M. |
| Bullock | Evans | Nowlan | Van Valkenburgh |
| Carpenter, I. S. | Ferris | Phillips | Varnum |
| Case | Fish | Pitcher | Warner |
| Chase | Fiske | Potts | Waterbury |
| Chickering | Goralline | Root | Wells, D. A. |
| Childs | Gray | Russell | Wren |
| Clark | Grosse | Seeley | Mr. Speaker |
| Clowes | Howland | Sherman | |

Those who voted in the negative, were

| | | | |
|------------------|------------|----------|--------------|
| Benedict, T. E. | Fitzgerald | McTernan | Sheridan |
| Bennett | Gibbs | Mead | Strait |
| Carpenter, E. A. | Hagan | Newman | Torney |
| Catlin | Havens | O'Connor | Treanor |
| Clancy | Hayes | Parker | Walsh |
| Cohen | Hoffman | Potter | Wells, J. L. |
| Cushing | McAvoy | Rhodes | Wiley |
| Dougherty | McCarthy | Shanley | Youngs |
| Ellis | McDonald | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 150 of the Laws of 1872, entitled 'An act to incorporate the city of Kingston,'" having been announced for a third reading,

On motion of Mr. Speaker, and by unanimous consent, said bill was amended by adding as section 3 the following:

§ 3. This act shall take effect immediately.

Said bill, as amended, was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 96 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|--------------|-----------|---------|----------|
| Alvord | Curtis | Liddle | Sheridan |
| Andrews | Davis | Lindsay | Sherman |
| Baker, B. F. | Deane | Low | Shuit |
| Baker, C. S. | Dougherty | McAvoy | Sipp |
| Beach | Douglass | McCabe | Sisson |
| Beates | Duell | Mead | Skinner |

| | | | |
|------------------|------------|----------|-----------------|
| Bradley | Duguid | Miller | Slingerland |
| Brennan | Ellis | Mitchell | Steele |
| Bridges | Evans | Mooers | Strait |
| Brodaky | Fish | Morgan | Tallmadge |
| Bullock | Fiske | Nowlan | Terry |
| Carpenter, E. A. | Fitzgerald | O'Brien | Titus |
| Carpenter, I. S. | Gorsline | O'Connor | Travis |
| Case | Gray | Parker | Treanor |
| Chamberlain | Griggs | Peck | Tuthill, H. H. |
| Chase | Grosse | Phillips | Tuttle, R. M. |
| Chickering | Hayes | Pitcher | Van Valkenburgh |
| Childs | Hoffman | Potter | Varnum |
| Clark | Howland | Potts | Warner |
| Clowes | Hurd | Roberts | Waterbury |
| Comstock | Husted | Root | Wells, J. L. |
| Cookinham | Ingersoll | Sanders | Wiley |
| Crapser | Kennedy | Seeley | Wren |
| Cullinan | Lefever | Shanley | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Pitcher offered for the consideration of the House a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor, requesting the return of Assembly bill No. 519, entitled "An act to amend chapter 360 of the Laws of 1867, entitled 'An act to amend and consolidate the several acts in relation to the village of Rhinebeck,'" for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Dougherty offered for the consideration of the House a resolution in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of Senate bill No. 213, entitled "An act to incorporate the Governor's Guard of the city of New York," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Speaker announced as a conference committee, on the part of the Assembly, on the supply bill: Messrs. Husted, Alvord, Titus, Mooers and Shanley.

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have appointed a conference committee thereon.

The Senate sent for concurrence the following resolution:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill No. 30, entitled "An act further to amend chapter 446 of the Laws of 1874, entitled 'An act to revise and consolidate the statutes of the State relating to the care and custody of the insane, the management of the

asylums for their treatment and safe-keeping, and the duties of the State Commissioner in Lunacy.”

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate with a message informing of concurrence therein.

A message from the Senate was received and read informing of concurrence in the resolutions recalling from the Governor the following bills for amendment:

Assembly bill No. 515, general orders No. 590, entitled “An act to amend chapter 30 of the Laws of 1880, entitled ‘An act to amend chapter 598 of the Laws of 1870, entitled ‘An act to amend an act to incorporate the city of Troy, passed April 12, 1816, and the several acts amendatory thereof, and also to amend other acts relating to the city of Troy and supplemental thereto, passed February 27, 1880,’” for amendment.

Assembly bill No. 431, general orders No. 474, entitled “An act authorizing the village of Wellsville to apportion certain parts of the highway for sidewalk purposes.”

Assembly bill No. 561, general orders No. 642, entitled “An act in relation to taxes and assessments levied prior to January 1, 1874, in the towns annexed from the county of Westchester to the city of New York.”

Assembly bill No. 180, entitled “An act to establish a local court of civil jurisdiction in the city of Buffalo.”

Ordered, That the Clerk deliver said bills to the Governor.

A message from the Senate was received and read, informing of concurrence in the following bills:

“An act to amend chapter 763 of the Laws of 1872, entitled ‘An act to amend the charter of the village of Saratoga Springs.’”

“An act in relation to the village of Potsdam.”

“An act to amend chapter 251 of the Laws of 1857, entitled ‘An act to amend and consolidate the charter of the village of LeRoy.’”

“An act appropriating money for the payment of sums due to contractors for new work and extraordinary repairs on the canals, and to pay the certificates and drafts issued therefor.”

“An act to amend an act entitled ‘An act to enable the electors of the town of Johnstown to vote by districts for town officers, passed March 21, 1862.’”

“An act to vest certain powers in the Kingston board of education, and to facilitate the collection of taxes in the Kingston school district.”

“An act to permit and authorize the city of Albany to issue the bonds of said city for the payment of the expense of draining, grading, forming, paving and flagging a portion of South Pearl street in the city of Albany, and to extend the time of payment of the assessments therefor.”

“An act to incorporate Alert Hose Company No. 3, of Medina, New York.”

“An act to amend chapter 369 of the Laws of 1868, entitled ‘An act to amend the act incorporating the village of Phoenix, in the county of Oswego.’”

“An act to amend chapter 363 of the Laws of 1878, entitled ‘An act in relation to the regrading and paving of Grand street, from Union

avenue to Bushwick avenue, in the city of Brooklyn, with Belgian pavement."

"An act to prevent trespassing and intrusion upon railroad cars and engines."

"An act for grading and planking Delaware avenue, in the city of Albany, from the north line of Warren street to the division line between the city of Albany and the town of Bethlehem, and to provide for the payment of the same."

"An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game.'"

"An act to enable the respective towns in the county of Rensselaer to reduce the number of its town officers."

"An act to amend section 37, chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish, and other game.'"

"An act to provide for the protection and preservation of fish in the county of Monroe, State of New York."

"An act to prevent fishing with nets in a part of the waters of Lake Ontario."

"An act in relation to the Rochester and Lake Ontario Railway Company, to confirm its present route and authorize said company to hold and improve the real estate now held and owned by said company."

"An act to legalize the acts of George M. Warren, a justice of the peace of the town of Wheatfield, Niagara county."

"An act to amend chapter 435 of the Laws of 1868, entitled 'An act to incorporate the village of Hamilton, in the county of Madison, and to repeal its present charter, as amended by chapter 166 of the Laws of 1877, and by chapter 19 of the Laws of 1878.'"

"An act in relation to runners or solicitors of passengers or patronage for steamers, steamboats, ships, vessels, hotels, railroads or transportation companies in the city of New York."

"An act in relation to the keeping open of the offices of the register, county clerk and county treasurer of the county of Westchester."

"An act to provide for the collection of unpaid city taxes and local assessments in the city of Buffalo."

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Roberts moved that the order of business be laid aside for the purpose of going into committee of the whole on Senate bill printed No. 269, entitled "An act to establish a police department in the city of Buffalo, and to provide for the government thereof."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

{ AYES 75 }
{ NOES 18 }

Those who voted in the affirmative, were

| | | | |
|--------------|-----------|-----------|----------|
| Alvord | Clowes | Ingersoll | Russell |
| Andrews | Gomstock | Kennedy | Sanders |
| Baker, B. F. | Cookinham | Lefever | Seeley |
| Baker, C. S. | Cullinan | Liddle | Sheridan |

| | | | |
|------------------|------------|----------|-----------------|
| Beach | Ourtis | Lindsay | Sherman |
| Beates | Cushing | Low | Shuit |
| Bennett | Davis | McAvoy | Sisson |
| Bradley | Dougherty | McCabe | Steele |
| Brennan | Douglass | Mead | Terry |
| Bridges | Duell | Miller | Titus |
| Brodsky | Duguid | Mitchell | Travis |
| Bullock | Evans | Mooers | Tuttle, R. M. * |
| Carpenter, E. A. | Ferris | Morgan | Van Valkenburgh |
| Carpenter, I. S. | Fiske | Nowlan | Varnum |
| Case | Fitzgerald | O'Brien | Waterbury |
| Chase | Griggs | O'Connor | Wells, D. A. |
| Chickering | Hayes | Potter | Wells, J. L. |
| Childs | Howland | Potts | Youngs |
| Clark | Hurd | Roberts | |

Those who voted in the negative, were

| | | | |
|-----------------|---------|-----------|---------|
| Benedict, E. D. | Havens | Rhodes | Treanor |
| Clancy | Hoffman | Shanley | Tully |
| Crapsier | Newman | Sipp | Walsh |
| Ellis | Parker | Thilemann | Wiley |
| Grosse | Pitcher | | |

Mr. Titus offered for the consideration of the House a resolution in the words following:

Resolved, That Senate bill No. 27, entitled "An act to exempt any county in this State from the requirements of chapter 280 of the Laws of 1845, entitled 'An act for the publication of the Session Laws in two newspapers in each county of this State, and of the several acts amendatory thereof,'" be considered in this committee.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative.

Mr. Speaker stated that the House would now resolve itself into committee of the whole on Senate bill No. 269, entitled "An act to establish a police department in the city of Buffalo, and to provide for the government thereof."

The House then resolved itself into a committee of the whole on the bill entitled as follows:

Senate, "An act to establish a police department in the city of Buffalo, and to provide for the government thereof."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Ferris, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Roberts moved to discharge the committee of the whole from the further consideration of said bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to the motion of Mr. Roberts, and it was determined in the affirmative.

{ AYES 62 }
{ NOES 13 }

Those who voted in the affirmative, were

| | | | |
|--------------|----------|----------|-------------|
| Alvord | Comstock | Lindsay | Seeley |
| Andrews | Curtis | Low | Sheridan |
| Baker, B. F. | Cushing | McCabe | Sherman |
| Baker, C. S. | Deane | Miller | Slingerland |
| Beach | Douglass | Mitchell | Tallmadge |
| Bradley | Duguid | Mooers | Terry |

| | | | |
|------------------|------------|----------|-----------------|
| Bridges | Ferris | Morgan | Titus |
| Brodsky | Fitzgerald | Nowlan | Travis |
| Carpenter, E. A. | Gray | O'Brien | Van Valkenburgh |
| Carpenter, I. S. | Griggs | Phillips | Varnum |
| Case | Howland | Potter | Warner |
| Chamberlain | Hurd | Potts | Waterbury |
| Chase | Husted | Roberts | Wells, D. A. |
| Childs | Ingersoll | Russell | Wells, J. L. |
| Clark | Kennedy | Sanders | Youngs |
| Clowes | Lefever | | |

Those who voted in the negative, were

| | | | |
|----------|----------|---------|---------------|
| Clancy | Hoffman | Rhodes | Treanor |
| Crapsier | McDonald | Shanley | Tully |
| Ellis | Newman | Sipp | Tuttle, R. M. |
| Havens | | | |

By unanimous consent,

Mr. Travis introduced a bill entitled "An act to amend chapter 231 of the Laws of 1872, entitled 'An act to provide for supplying the village of Peekskill with water, and authorizing the issue of bonds therefor, and to create a board of water commissioners,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Travis, and by unanimous consent, said bill was ordered to a third reading.

Leave of absence was granted to Mr. Catlin.

By unanimous consent,

Mr. Ingersoll offered for the consideration of the House a resolution in the words following:

Resolved, That Senate bill No. 124, entitled "An act fixing the amount to be paid on a policy of insurance," be made a special order for Wednesday morning, May 12th, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Alvord offered for the consideration of the House a resolution in the words following:

Resolved, That Assembly bill No. 764, general orders No. 936, entitled "An act to authorize a treaty with the Onondaga Indians," be made a special order for Wednesday the 12th inst., immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The Senate sent for concurrence the "Concurrent resolution proposing an amendment to section 1 of article 2 of the Constitution," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Mead offered for the consideration of the House a resolution in the words following:

Resolved, That Assembly bill No. 538, general orders No. 652, entitled "An act to authorize cities and incorporated villages to charge

license fees to persons doing a retail business on the canals of this State," be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Duguid offered for the consideration of the House a resolution in the words following :

Resolved, That Assembly bill No. 794, general orders No. 982, entitled "An act to institute a State board of correction and pardons and county boards of correction," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The bill entitled "An act to authorize cities and incorporated villages to charge license fees to persons doing a retail business on the canals of this State," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Cushing | Low | Seeley |
| Andrews | Davis | McCabe | Sherman |
| Baker, B. F. | Deane | McCarthy | Shuit |
| Baker, C. S. | Douglass | Mead | Skinner |
| Beach | Duell | Miller | Slingerland |
| Benedict, E. D. | Duguid | Mitchell | Steele |
| Bradley | Ellis | Mooers | Tallmadge |
| Brennan | Evans | Morgan | Terry |
| Bridges | Ferris | Newman | Titus |
| Brodsky | Fish | Nowlan | Travis |
| Carpenter, E. A. | Fiske | O'Brien | Treasnor |
| Carpenter, I. S. | Gorsline | Parker | Tuthill, H. H. |
| Case | Gray | Phillips | Tuttle, R. M. |
| Chase | Griggs | Pitcher | Van Valkenburgh |
| Chickering | Grosse | Potter | Varnum |
| Childs | Hayes | Potts | Warner |
| Clark | Hoffman | Rhodes | Waterbury |
| Clowes | Hurd | Roberts | Wells, D. A. |
| Comstock | Ingersoll | Root | Wells, J. L. |
| Cookinham | Kennedy | Russell | Wren |
| Cullinan | Lefever | Sanders | Youngs |
| Curtis | Liddle | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned Assembly bill entitled "An act to provide for the collection of unpaid city taxes and local assessments in the city of Buffalo," with a message that they have concurred in the passage of the same, with the following amendments:

Page 2, engrossed bill, section 2, line 6, after the word "in" insert "March or."

Strike out all of section 4, and insert as follows :

§ . The comptroller shall cause to be published, twice in each week for three weeks, in the official paper and two other newspapers of the city of Buffalo, a list or statement of the real estate charged with the payment of such taxes and assessments and interest, and so liable to be sold, and also a notice that the said real estate will, on a day at the expiration of the said three weeks to be specified in such notice, and the succeeding days, be sold at public auction to the highest bidder at the county and city hall, in the said city of Buffalo, to pay the taxes, interest and expenses thereon, which may remain unpaid at the time of such sale; the expense of publishing such list and notices shall not exceed the sum of one dollar to each newspaper for each parcel of land so advertised. On the day named in said notice the said comptroller shall commence the sale of said real estate at auction to the highest bidder, and shall continue such sale from day to day until the whole thereof shall be sold, but the owner of any piece of land, or his representative, may redeem the same at any time before the actual sale thereof by paying the tax or taxes for which it is to be sold with all accrued interest and expenses. It shall be the duty of the comptroller to bid in for the city all parcels of real estate at such sale, which shall not be purchased by any other person, at a rate sufficient to pay the taxes for which the land is to be sold, with all accrued interest and expenses.

Page 3, line 5, after the word "and" insert "if it shall appear that such proceedings are valid and regular."

Strike out all of section 6 and insert in place thereof as follows :

§ 6. The purchasers at such sale shall pay the amounts of their respective bids to the said comptroller within forty-eight hours after the sale, and thereupon the said comptroller shall execute to each purchaser a certificate in writing which shall contain a description of the real estate purchased, the amount paid therefor, the date of the sale, and that the same was sold for unpaid city taxes; such purchaser or his legal representatives or assigns may, upon receiving such certificate, by virtue thereof and of this act, lawfully hold and enjoy for his and their own proper use and benefit, and the use and benefit of his and their heirs and assigns forever, the real estate described in said certificate, unless the same shall be redeemed as hereinafter provided; and he and his heirs and assigns may, at any time after the time limited in the seventh section of this act for the redemption of such premises shall have expired and the notice therein provided for been given, and said premises shall not have been redeemed as therein provided, and not before, obtain actual possession of the premises by an action at law, or by causing the occupant of such real estate to be removed therefrom, and the possession thereof to be delivered to him in the same manner, and by the same proceedings, by and before the same officers as in the case of a tenant holding over after the expiration of his term without permission of his landlord.

Page 4, line 5, after the word "in" insert "or having a lien upon;" line 13, strike out "aforesaid;" line 27, after the word "therein" strike out all down to and including the word "purpose" in line 30.

Page 5, line 2, strike out "the total amount," and insert "the tax, costs, interest and expenses;" line 8, after "Buffalo" insert "and which hours shall be between nine o'clock in the forenoon and eight o'clock in the afternoon;" line 22, strike out "six weeks in" and in-

sert "three months prior to the day therein named for redemption in three newspapers published in said city, and one of which shall be;" line 31, after "purchase" insert "including the city of Buffalo, its or;" after "heirs" insert "successors."

Page 7, add at end of section 9 the following:

"Where the invalidity or irregularity of any tax or assessment appears upon the face of the proceedings, any party in interest may apply by petition to the superior court of Buffalo for an order canceling the same, said court shall require reasonable notice to be given to the city of such petition, and shall hear the proofs and allegations of the parties, and shall, in case such irregularity or invalidity is established, order such tax or assessment to be canceled, and thereupon the same shall be canceled by the comptroller."

Page 7, line 15, strike out "six" and insert "seven;" lines 20 and 21, strike out all except the word "upon" and insert the words "amount or sum so paid;" line 28, strike out "general;" strike out all of line 33, including "lector to" in line 34, and insert "for six months after the warrant for its collection has been placed in the hands of."

Page 8, line 16, insert "but;" line 19, insert "except local assessments for sidewalks and crosswalks."

Strike out all of section 12.

Page 9, line 5, insert the word "and," and insert "hereafter assessed including;" line 7, after "levied" insert "except as herein provided."

Change section 14 to 13, and 15 to 14.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 97 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|-----------------|
| Alvord | Crapser | Ingersoll | Sheridan |
| Andrews | Cullinan | Kennedy | Sherman |
| Baker, B. F. | Curtis | Lefever | Shuit |
| Baker, C. S. | Cushing | Liddle | Sipp |
| Beach | Davis | Lindsay | Sisson |
| Beates | Deane | Low | Skinner |
| Benedict, E. D. | Dougherty | McAyo | Slingerland |
| Benedict, T. E. | Douglass | McCabe | Steele |
| Bradley | Duell | McDonald | Strait |
| Brennan | Duguid | Miller | Terry |
| Bridges | Ellis | Mitchell | Titus |
| Brodsky | Evans | Mooers | Travis |
| Bullock | Ferris | Morgan | Treanor |
| Carpenter, E. A. | Fish | Nowlan | Tully |
| Carpenter, I. S. | Fiske | O'Brien | Tuthill, H. H. |
| Case | Gorsline | Parker | Tuttle, R. M. |
| Chamberlain | Gray | Phillips | Van Valkenburgh |
| Chase | Griggs | Pitcher | Varnum |
| Chickering | Grosse | Potts | Warner |
| Childs | Hayes | Rhodes | Waterbury |
| Clark | Hoffman | Roberts | Wells, D. A. |
| Clowes | Howland | Root | Wells, J. L. |
| Cohen | Hurd | Sanders | Wren |
| Comstock | Husted | Seeley | Youngs |
| Cookinham | | | |

Ordered, That the Clerk return said bill to the Senate with a message informing of concurrence in their amendments.

By unanimous consent,

Mr. Phillips offered for the consideration of the House a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor, requesting the return of Assembly bill, not printed, introductory No. 1065, entitled "An act to legalize the official acts of Daniel F. St. John, a justice of the peace in the town of Clarendon, in the county of Orleans," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the sale and conveyance of any interest in real estate belonging to lunatics or idiots or habitual drunkards," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|-----------------|
| Alvord | Crapser | Ingersoll | Sanders |
| Andrews | Cullinan | Kennedy | Sherman |
| Baker, B. F. | Curtis | Lefever | Shuit |
| Baker, C. S. | Davis | Liddle | Sipp |
| Beach | Deane | Lindsay | Sisson |
| Beates | Dougherty | Low | Skinner |
| Benedict, E. D. | Douglass | McCarthy | Slingerland |
| Bradley | Duell | McDonald | Steele |
| Brennan | Duguid | Miller | Strait |
| Bridges | Ellis | Mitchell | Tallmadge |
| Brodsky | Evans | Mooers | Terry |
| Bullock | Ferris | Morgan | Titus |
| Carpenter, E. A. | Fish | Nowlan | Travis |
| Carpenter, I. S. | Gorsline | O'Brien | Tuthill, H. H. |
| Chamberlain | Gray | Peck | Tuttle, R. M. |
| Chase | Griggs | Phillips | Van Valkenburgh |
| Chickering | Grosse | Pitcher | Warner |
| Childs | Hayes | Potts | Waterbury |
| Clark | Hoffman | Rhodes | Wells, D. A. |
| Clowes | Howland | Roberts | Wells, J. L. |
| Cohen | Hurd | Root | Wren |
| Comstock | Husted | Russell | Youngs |
| Cookinham | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Duell introduced a bill entitled "An act to provide for the revision of the local and special laws affecting public interests in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Husted introduced a bill entitled "An act in relation to 111th street, between 5th and 6th avenues, in the city of New York," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Husted, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Russell introduced a bill entitled "An act in relation to Furman street in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Russell, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Mitchell introduced a bill entitled "An act to confirm certain deeds given by the mayor, aldermen and commonalty of the city of New York," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Mitchell, and by unanimous consent, said bill was ordered to a third reading.

The bill entitled "An act to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn and the various amendments thereof,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }
{ NOES 4 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Cookinham | Kennedy | Seeley |
| Andrews | Craper | Lefever | Sherman |
| Baker, B. F. | Cullinan | Liddle | Shuit |
| Baker, C. S. | Curtis | Low | Sisson |
| Beach | Davis | McCabe | Skinner |
| Beates | Deane | Miller | Slingerland |
| Bradley | Dougherty | Mooers | Steele |
| Brennan | Douglass | Morgan | Strait |
| Bridges | Duell | Nowlan | Tallmadge |
| Brodsky | Duguid | O'Brien | Terry |
| Bullock | Evans | Peck | Titus |
| Carpenter, I. S. | Ferris | Phillips | Tuthill, H. H. |
| Case | Fish | Pitcher | Tuttle, R. M. |
| Chamberlain | Gorsline | Potter | Warner |
| Chase | Gray | Potts | Waterbury |
| Chickering | Griggs | Rhodes | Wells, D. A. |
| Childs | Hayes | Roberts | Wells, J. L. |
| Clark | Hurd | Root | Wren |
| Clowes | Husted | Sanders | Youngs |
| Comstock | Ingersoll | | |

Those who voted in the negative, were

| | | | |
|--------|---------|----------|-------|
| Newman | Shanley | Sheridan | Walsh |
|--------|---------|----------|-------|

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned Assembly bill entitled "An act in relation to and reducing the number of justices of the peace, creating judicial districts and providing for local inferior courts in the city of Brooklyn," with a message that they have concurred in the passage of the same, with the following amendments:

Section 1, engrossed bill, lines 5 and 6, strike out the words "and the city hall park;" also line 11, strike out the words "excluding the city hall park."

Section 4, line 3, strike out the word "seven" and insert the word "four;" line 6, strike out "seven" and insert "four;" line 10, after "act" insert "and no police justice appointed as hereinafter provided;" line 11, strike out "now."

Section 5, lines 4 and 5, strike out "have been at least one year next preceding" and insert "be a resident and."

Section 6, line 3, add after "act" the words "except those brought by non-residents;" line 5, after "reside" insert "or in an adjoining district;" line 10, after "recovered" insert "or in an adjoining district;" after the word "and," in line 10, strike out all down to and including the words "to do," in line 17, and inserting in lieu thereof: "the clerks of the respective courts are hereby required to collect and pay into the city treasury all fees in summary proceedings, keep a docket of all such cases and report the same to the comptroller;" line 23, after the word "committed" insert "or in an adjoining district;" line 29, after "committed" insert "or in an adjoining district."

Section 10, lines 15 and 16, strike out "be entitled to the same emoluments," and add at end of section "shall receive a salary at the rate of thirty-five hundred dollars per year."

Section 11, strike out all down to and including the word "act," in line 11, and insert in lieu thereof the following:

§ 11. On or before the second Monday in July, 1880, the mayor, the comptroller, and the auditor, of the city of Brooklyn, shall meet in the office of the comptroller, at 10 o'clock noon, and shall, by a concurrent vote, proceed to appoint four police justices, and shall designate one of such police justices to hold court at or near the city hall, and one police justice to hold court in each judicial district as created by this act. In case the said mayor, comptroller and auditor shall fail to agree within five days, after a majority of them shall have first met for that purpose, then the mayor shall appoint one, the comptroller one, and the auditor one, and a majority of said mayor, comptroller and auditor shall appoint one of said police justices, in that case a majority shall designate the courts to be held by such justices as above provided.

Line 11, section 11, add after the word "they" the words "or a majority of them," and strike out the words "in the same manner;" also lines 16, 17 and 18, strike out "they shall in like manner appoint the successors to said" and insert in lieu thereof "which term shall be four years, the mayor, comptroller and auditor shall proceed to appoint their successors in the same manner as herein provided for the first appointment of."

Section 12, line 4, strike out the words "for the term of seven years and."

Strike out all of section 15; change section 16 to section 15.

Mr. Shanley moved to further amend said bill in words following:

Strike out all after the enacting clause, and insert the following:

Section 1. The city of Brooklyn is hereby divided into four judicial districts, as follows : The First district shall embrace the territory now embraced in the First, Second, Fifth, Sixth, Eighth, Tenth and Twelfth wards. The Second district shall embrace the territory now embraced in the Third, Fourth, Seventh, Ninth, Twentieth, Twenty-second and Twenty-third wards and city hall park. The Third district shall embrace the territory now embraced in the Eleventh, Thirteenth, Nineteenth, Twenty-first, Twenty-fourth and Twenty-fifth wards. The Fourth district shall embrace the territory now embraced in the Fourteenth, Fifteenth, Sixteenth, Seventeenth and Eighteenth wards.

§ 2. At the general election next preceding the expiration of the term of office of the justices of the peace, in the city of Brooklyn, chosen at the general election in the year 1879, their successors shall be elected from the respective judicial districts hereby created by the electors of said districts respectively. The election of a justice of the peace, to fill a vacancy, shall be held in and by the electors of the judicial districts, as created by this act, within which such vacancy shall exist at the next general election after such vacancy shall have occurred. At the general election next held after the passage of this act, there shall be elected in the First judicial district, by the electors of said district, a justice of the peace. The justices of the peace, elected pursuant to the provisions of this act, shall hold court within their respective judicial districts from which they are elected, except that in case any justice shall be absent, or unable to hold court, any other justice of the peace in said city may, upon the request of the justice or clerk of said court, hold court in his stead pending such absence or disability, and when so holding court such justice shall have the same jurisdiction, in all cases, as the justice elected to such court, except that when any testimony shall have been taken he shall not try the matter at issue or render judgment therein.

§ 3. From and after the first day of May, 1881, there shall be in the city of Brooklyn three local inferior courts, to be known as police courts. The justices of said police courts shall be designated police justices, and shall be elected as hereinafter provided. They shall have the same powers and privileges, the same jurisdiction, perform the same duties, be entitled to the same emoluments, and be subject to the same laws as are applicable to the police justice in said city at the passage of this act.

§ 4. On and after the passage of this act the police judicial districts shall be as follows : The First district shall embrace the territory now embraced in the First, Second, Fifth, Sixth, Eighth, Tenth and Twelfth wards and the city hall park. The Second district shall embrace the territory now embraced in the Third, Fourth, Seventh, Ninth, Eleventh, Twentieth, Twenty-first, Twenty-second, Twenty-third, Twenty-fourth and Twenty-fifth wards. The Third district shall embrace the territory now embraced in the Thirteenth, Fourteenth, Fifteenth, Sixteenth, Seventeenth, Eighteenth and Nineteenth wards. One of said courts shall be located in each judicial district, at such place as the common council may determine. The said police justices shall be elected at the general election, next held after the passage of this act, by the electors in the respective judicial districts hereby created.

§ 5. It shall be the duty of the board of elections of the city of

Brooklyn, whenever a justice of the peace or a police justice is to be elected, pursuant to the provisions of this act, to provide in each of the judicial districts, at every polling place therein, a separate ballot-box for the reception of the ballots for the said justices, which box shall be labeled "justice of the peace," or "police justice." Such ballots shall be in the form provided by law, and shall have thereon the designation for "justice of the peace," or for "police justice," the number of the district for which the person to be elected is to serve, with the name of the person to be voted for, and shall be indorsed "justice of the peace," or "police justice," with the number of the judicial district.

§ 6. The term of office of the justices of the peace and police justices, to be elected pursuant to the provisions of this act, shall be five years from the first day of May, 1881, and at the general election next preceding the expiration of their respective terms of office, and every five years thereafter, their successors shall be chosen in the manner herein provided. No justice of the peace or police justice, elected under the provisions of this act, shall receive any other fee or compensation than the salary provided by law for such justices.

§ 7. Any person shall be qualified and eligible for election to the said office of justice of the peace, or police justice, who shall at the time of such election have been, at least one year next preceding, an elector in the judicial district within which such election is held, and no other person shall be thus eligible.

§ 8. All civil actions brought before justices of the peace, elected pursuant to the provisions of this act, must be brought in the judicial district in which either one of the plaintiffs or one of the defendants resides. All summary proceedings for the recovery of the possession of land must be brought in the judicial district in which the land is situated which is sought to be recovered, and all fees in summary proceedings, and which shall be received by any justice of the peace elected pursuant to this act, shall be paid by him into the city treasury at the times and in the manner in which justices of the peace of the city of Brooklyn are now required by law to do. All actions upon the charter or ordinances of the corporation of the city of Brooklyn, or of any department thereof, which shall be brought in a court of a justice of the peace or of a police justice, shall be brought in the judicial district in which the offense is alleged to have been committed. Any justice of the peace in said city may issue warrants for any alleged criminal offense within said city; but such warrants must be returnable before a justice of the peace or police justice in the judicial district in which the offense is alleged to have been committed. This section shall apply only to the officers elected pursuant to the provisions of this act.

§ 9. On the first day of May, 1881, the justice of the peace chosen for the First district court shall hold court in the said First judicial district, at such place as the common council may determine. The justice of the peace chosen for the Third district court, at the general election in 1879, or his successor in case of vacancy, shall hold court in the Second judicial district, at such place as the common council may determine. The justice of the peace chosen for the Fifth district court at the general election in 1879, or his successor in case of vacancy, shall hold court in the Third judicial district, at such place as the common council may determine. The justice of the peace

chosen for the Fourth district court, at the general election in 1879, or his successor in case of vacancy, shall hold court in the Fourth judicial district, at such place as the common council may determine. And said justices shall continue to hold such courts, respectively, until the expiration of their respective terms of office.

§ 10. The board of police and excise shall cause all persons arrested by authority of that department, or by any of its officers, except upon a warrant issued by a justice of the peace, to be conveyed in the manner now provided by law to the most convenient police court for trial or examination according to law.

§ 11. From and after the passage of this act, the justices of the peace and police justices in said city shall each have sole power to appoint a clerk of their respective courts; also, to appoint and remove such other clerks, assistants, stenographers and interpreters, as the common council may authorize.

§ 12. All acts, or parts of acts, inconsistent with the provisions of this act are hereby repealed.

§ 13. This act shall take effect immediately.

Mr. Speaker put the question whether the House would agree to the motion of Mr. Shanley, and it was determined in the negative.

{ AYES 23 }
{ NOES 59 }

Those who voted in the affirmative, were

| | | | |
|-----------------|------------|----------|---------|
| Benedict, E. D. | Dougherty | McAvoy | Parker |
| Benedict, T. E. | Fitzgerald | McCarthy | Rhodes |
| Bennett | Gibbs | McDonald | Shanley |
| Clancy | Hagan | McTernan | Treanor |
| Cohen | Havens | Mead | Walsh |
| Cushing | Hoffman | Newman | |

Those who voted in the negative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Cookinham | Low | Shuit |
| Andrews | Curtis | Miller | Skinner |
| Baker, C. S. | Davis | Mitchell | Tallmadge |
| Beach | Deane | Moors | Terry |
| Beates | Douglass | Morgan | Titus |
| Bradley | Ferris | Peck | Travis |
| Bridges | Fish | Phillips | Tuthill, H. H. |
| Brodsky | Gorsline | Pitcher | Tuttle, R. M. |
| Bullock | Gray | Potter | Varnum |
| Carpenter, E. A. | Griggs | Potts | Warner |
| Carpenter, I. S. | Hayes | Root | Waterbury |
| Chamberlain | Howland | Russell | Wells, D. A. |
| Chase | Husted | Sanders | Wells, J. L. |
| Chickering | Lefever | Seeley | Wren |
| Clowes | Lindsay | Sherman | |

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }
{ NOES 27 }

Those who voted in the affirmative, were

| | | | |
|---------|--------|---------|---------|
| Alvord | Curtis | Lefever | Sherman |
| Andrews | Davis | Liddle | Shuit |

| | | | |
|------------------|----------|----------|-----------------|
| Baker, C. S. | Deane | Lindsay | Sisson |
| Beach | Douglass | McCabe | Skinner |
| Beates | Duell | Miller | Slingerland |
| Bradley | Duguid | Mitchell | Steele |
| Bridges | Evans | Mooers | Terry |
| Brodsky | Ferris | Morgan | Titus |
| Bullock | Fish | Nowlan | Travis |
| Carpenter, E. A. | Fiske | O'Brien | Tuthill, H. H. |
| Carpenter, I. S. | Gorsline | Peck | Tuttle, R. M. |
| Chamberlain | Gray | Phillips | Van Valkenburgh |
| Chase | Griggs | Pitcher | Warner |
| Chickering | Grosse | Potter | Waterbury |
| Childs | Hayes | Potts | Wells, D. A. |
| Clark | Howland | Root | Wells, J. L. |
| Olowes | Hurd | Russell | Wren |
| Cookinham | Husted | Sanders | Youngs |
| Crapsier | Kennedy | Seeley | Mr. Speaker |
| Cullinan | | | |

Those who voted in the negative, were

| | | | |
|-----------------|------------|----------|-----------|
| Benedict, E. D. | Fitzgerald | McDonald | Shanley |
| Bennett | Gibbs | McTernan | Strait |
| Clancy | Hagan | Mead | Thilemann |
| Cohen | Havens | Newman | Treanor |
| Cushing | Hoffman | O'Connor | Tully |
| Dougherty | McAvoy | Parker | Walsh |
| Ellis | McCarthy | Rhodes | |

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

By unanimous consent,

Mr. Hurd, from the committee on canals, to which was referred the Senate bill (introductory No. 560), entitled "An act to amend chapter 270 of the Laws of 1878, entitled 'An act reappropriating money for the payment of sums due to contractors for new work upon and extraordinary repairs of the canals,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Hurd, from the committee on canals, to which was referred the Senate bill (introductory No. 215), entitled "An act in relation to the enlargement of the bridge across the Erie canal at Fultonville," reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Skinner offered for the consideration of the House a resolution in the words following:

Resolved, That Assembly bill No. 558, general orders No. 637, entitled "An act establishing an agricultural experiment station," be made a special order for Wednesday morning, May 12th.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Fiske offered for the consideration of the House a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent

to the Governor, asking the return of Assembly bill No. 210, entitled "An act to amend an act entitled 'An act to confer on boards of supervisors further powers of local legislation and administration,'" for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Brodsky (introductory No. 655), entitled "An act authorizing the Adjutant-General, the Inspector-General, the Commissary-General, to audit the claim of the 12th regiment, National Guard of the State of New York, for uniforms and equipments worn out in the United States service during the late war," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Husted, from the committee on ways and means, to which was referred the Senate bill (introductory No. 157), entitled "An act for the relief of the Buffalo Surgical Infirmary," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Senate bill entitled "An act to amend chapter 217 of the Laws of 1875, entitled 'An act relative to the Farmers' Loan and Trust Company,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|---------------|
| Alvord | Curtis | Kennedy | Root |
| Andrews | Davis | Lefever | Seeley |
| Baker, B. F. | Deane | Liddle | Shanley |
| Baker, C. S. | Dougherty | Lindsay | Sheridan |
| Beach | Douglass | Low | Sherman |
| Beates | Duell | McAvoy | Shuit |
| Benedict, E. D. | Duguid | McCabe | Sipp |
| Brennan | Ellis | McCarthy | Sisson |
| Bridges | Evans | McDonald | Slingerland |
| Brodsky | Ferris | Miller | Steele |
| Bullock | Fish | Mitchell | Strait |
| Carpenter, E. A. | Fiske | Mooers | Tallmadge |
| Carpenter, I. S. | Gorsline | Morgan | Terry |
| Chamberlain | Gray | Newman | Titus |
| Chase | Griggs | O'Brien | Travis |
| Chickering | Groase | Peck | Treanor |
| Childs | Havens | Phillips | Tuttle, R. M. |
| Clark | Hayes | Pitchee | Warner |
| Clowes | Hoffman | Potter | Waterbury |
| Comstock | Howland | Potts | Wells, D. A. |
| Cookinham | Hurd | Rhodes | Wells, J. L. |
| Crapeer | Husted | Roberts | Wren |
| Cullinan | Ingersoll | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

A message was received from the Governor in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }
ALBANY, May 7, 1880. }

To the Assembly:

In accordance with a joint resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 247, entitled "An act to authorize the construction of a lift or swing bridge over the Erie canal at Brockport."

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 99 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Cullinan | Kennedy | Sanders |
| Andrews | Curtis | Lefever | Seeley |
| Baker, B. F. | Davis | Liddle | Shanley |
| Baker, C. S. | Deane | Lindsay | Sheridan |
| Beach | Dougherty | Low | Sherman |
| Beates | Douglass | McAvoy | Shuit |
| Benedict, E. D. | Duell | McCabe | Sisson |
| Bennett | Duguid | McCarthy | Skinner |
| Bradley | Evank | McDonald | Slingerland |
| Brennan | Ferris | Miller | Steele |
| Bridges | Fish | Mitchell | Strait |
| Brodsky | Fiske | Mooers | Tallmadge |
| Bullock | Fitzgerald | Morgan | Terry |
| Carpenter, E. A. | Gorsline | Newman | Titus |
| Carpenter, I. S. | Gray | Nowlan | Travis |
| Case | Griggs | O'Brien | Treanor |
| Chamberlain | Grosse | Peck | Tuthill, H. H. |
| Chase | Hagan | Phillips | Tuttle, R. M. |
| Chickering | Havens | Pitcher | Van Valkenburgh |
| Childs | Hayes | Potter | Waterbury |
| Clark | Hoffman | Potts | Wells, D. A. |
| Clowes | Howland | Rhodes | Wells, J. L. |
| Comstock | Hurd | Roberts | Wren |
| Cookinham | Husted | Root | Youngs |
| Crapser | Ingersoll | Russell | |

On motion of Mr. Root, and by unanimous consent, said bill was amended in words following:

Line 4, section 1, after the word "canal" insert "and in place of the present canal bridge at such point now needing repairs."

Strike out the word "to" at end of line 8, section 1, and insert "for the payment of the expenses of lock tending and the."

After the word "ordinary," line 9, section 1, insert "or extraordinary."

After the word "bridge," line 11, section 1, insert "and the said village shall construct the approaches thereto, and grade the street."

Strike out the word "and" at end of line 11, and the word "maintaining" at commencement of line 12.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Davis | Liddle | Shanley |
| Andrews | Deane | Lindsay | Sheridan |
| Baker, B. F. | Dougherty | Low | Sherman |
| Baker, C. S. | Douglass | McAvoy | Shuit |
| Beach | Duell | McCabe | Sisson |
| Beates | Duguid | McCarthy | Skinner |
| Bennett | Ellis | McDonald | Slingerland |
| Bradley | Evans | Mead | Steele |
| Brennan | Ferris | Miller | Strait |
| Bridges | Fish | Mitchell | Tallmadge |
| Brodaky | Fiske | Mooers | Terry |
| Bullock | Gorsline | Morgan | Titus |
| Carpenter, E. A. | Gray | Newman | Travis |
| Carpenter, I. S. | Griggs | Nowlan | Treanor |
| Chamberlain | Hagan | O'Brien | Tuthill, H. H. |
| Chase | Havens | Peck | Tuttle, R. M. |
| Chickering | Hayes | Phillips | Van Valkenburgh |
| Childs | Hoffman | Potter | Warner |
| Clark | Howland | Potts | Waterbury |
| Clowes | Hurd | Rhodes | Wells, D. A. |
| Comstock | Husted | Roberts | Wells, J. L. |
| Cookinham | Ingersoll | Root | Wren |
| Crapeer | Kennedy | Sanders | Youngs |
| Curtis | Lefever | Seeley | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The Senate returned Assembly bill entitled "An act to amend an act entitled 'An act supplementary to chapter 273 of the Laws of 1866, entitled 'An act authorizing the incorporation of associations to erect monuments to perpetuate the memory of soldiers who fell in defense of the Union,' passed April 14, 1877," with a message that they have non-concurred in the passage of the same.

The Senate returned Assembly bill entitled "An act to amend chapter 628 of the Laws of 1866, entitled 'An act to amend the charter of the village of Nassau, in the county of Rensselaer,'" with a message that they have concurred in the passage of the same with the following amendments:

Add at end of section 1 the words "as such court shall direct, the report of said commissioners to be final."

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 94 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Dougherty | McAvoy | Seeley |
| Andrews | Douglass | McCabe | Shanley |
| Baker, B. F. | Duell | McCarthy | Sherman |
| Baker, O. S. | Duguid | McDonald | Shuit |
| Beach | Ellis | Mead | Sisson |
| Beates | Evans | Miller | Skinner |
| Benedict, E. D. | Ferris | Mitchell | Slingerland |
| Bennett | Fish | Moors | Steele |
| Bradley | Fiske | Morgan | Strait |
| Brennan | Gorsline | Newman | Tallmadge |
| Bridges | Gray | Nowlan | Terry |
| Brodaky | Griggs | O'Brien | Titus |
| Bullock | Grosse | O'Connor | Travis |
| Carpenter, E. A. | Hayes | Peck | Treanor |
| Carpenter, I. S. | Hoffman | Phillips | Tuthill, H. H. |
| Case | Howland | Pitcher | Tuttle, R. M. |
| Chamberlain | Hurd | Potter | Van Valkenburgh |
| Chase | Husted | Potts | Warner |
| Chickering | Ingersoll | Rhodes | Waterbury |
| Childs | Kennedy | Roberts | Wells, D. A. |
| Clark | Lefever | Root | Wells, J. L. |
| Clowes | Liddle | Russell | Wren |
| Davis | Lindsay | Sanders | Youngs |
| Deane | Low | | |

These who voted in the negative, were

Cohen

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

By unanimous consent,

Mr. McCarthy offered for the consideration of the House a resolution in the words following:

Resolved, That Assembly bill No. 795, general orders No. 986, entitled "An act allowing actions brought in Marine Court of the city of New York against the mayor, aldermen and commonalty of the city of New York to be discontinued and recommenced in any court of competent jurisdiction, and the time in which the same may be brought," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Hayes offered for the consideration of the House a resolution in the words following:

Resolved, That Assembly bill No. 627, entitled "An act to provide for excavating, tunneling and bridging for transportation purposes within villages and cities of the State," be made a special order for Thursday, May 13, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Slingerland offered for the consideration of the House a privileged resolution in words following:

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor, requesting the return of Assembly

bill No. 227, entitled "An act to further amend section 2 of chapter 139 of the Laws of 1870, as amended by chapter 402 of the Laws of 1877, entitled 'An act to annex parts of the town of Bethlehem and Watervliet, in the county of Albany, to the city of Albany, and to exempt such parts thereof from certain taxes, and to annex a part of the city of Albany to the town of Watervliet,'" for amendment.

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Rhodes offered for the consideration of the House a privileged resolution in the words following:

Resolved (if the Senate concur), That the Assembly adjourn on Friday, May 14, at 12 M.

Ordered, That the same be laid on the table.

Senate bill entitled "An act in regard to markets in the city of New York, and to provide for the rebuilding of the same," being announced for a third reading,

Mr. Speaker stated that the hour of two having arrived, the House would take a recess until 4 P. M.

FOUR O'CLOCK, P. M.

The House again met.

Mr. Speaker directed the Clerk to call the roll of members and ascertain if a quorum was present, and the following members answered to their names:

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Davis | Lindsay | Sherman |
| Baker, C. S. | Deane | Low | Sipp |
| Beates | Dougherty | McAvoy | Sisson |
| Benedict, E. D. | Douglass | McCabe | Skinner |
| Benedict, T. E. | Duell | McTernan | Slingerland |
| Bradley | Ellis | Mead | Strait |
| Brennan | Evans | Mitchell | Terpeny |
| Bridges | Fiske | Mooers | Terry |
| Brodsky | Fitzgerald | Morgan | Titus |
| Bullock | Gibbs | O'Connor | Treanor |
| Carpenter, E. A. | Gorsline | Parker | Tully |
| Chickering | Gray | Phillips | Tuthill, H. H. |
| Cohen | Griggs | Potts | Tuttle, R. M. |
| Comstock | Hagan | Rhodes | Waterbury |
| Congdon | Havens | Root | Wells, D. A. |
| Cookinham | Hoffman | Russell | Wells, J. L. |
| Costello | Kennedy | Seeley | Wren |
| Crapeer | Lefever | Shanley | Mr. Speaker |
| Cullinan | | | |

73

A quorum being present,

Mr. Speaker stated the pending question to be upon the passage of Senate bill entitled "An act in regard to markets in the city of New York, and to provide for the rebuilding of the same."

Said bill being announced for a third reading,

Mr. Mitchell moved to strike out all after the word "market" in line 7, section 3, down to and including the word "therefor," in line 9.

Mr. Mitchell moved to recommit said bill to the committee on affairs of cities, with instructions to amend said bill as deemed proper, and report said bill back to the House complete, retaining its place on order of third reading.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Mitchell to recommit said bill, and it was determined in the affirmative.

The bill entitled "An act authorizing the incorporation of Villa Park and suburban homestead associations," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|----------------|
| Alvord | Cookinham | Howland | Sanders |
| Andrews | Costello | Hurd | Seeley |
| Baker, C. S. | Cullinan | Ingersoll | Sheridan |
| Beach | Curtis | Kennedy | Sherman |
| Beates | Cushing | Lefever | Shuit |
| Bennett | Davis | Liddle | Sipp |
| Bradley | Dougherty | Low | Sisson |
| Brennan | Douglass | McAvoy | Skinner |
| Bridges | Duell | McDonald | Slingerland |
| Brodsky | Duguid | McTernan | Steele |
| Bullock | Ellis | Mead | Strait |
| Carpenter, I. S. | Evans | Miller | Tallmadge |
| Case | Ferris | Mitchell | Terpeny |
| Chamberlain | Fish | Mooers | Terry |
| Chase | Fiske | Morgan | Titus |
| Chickering | Gibbs | Nowlan | Travis |
| Childs | Gray | Peck | Treanor |
| Clark | Griggs | Phillips | Tuthill, H. H. |
| Clowes | Havens | Pitcher | Waterbury |
| Cohen | Hayes | Root | Wells, D. A. |
| Comstock | Hoffman | Russell | Wells, J. L. |
| Congdon | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Case offered for the consideration of the House a privileged resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor asking him to return Assembly bill No. 121, entitled "An act to revive the Gypsum Cemetery Association in Ontario county," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to unpaid taxes and water assessments in Long Island City," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative.

{ AYES 97 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|----------------|
| Alvord | Cookinham | Hoffman | Rhodes |
| Andrews | Costello | Howland | Roberts |
| Baker, B. F. | Crapsr | Hurd | Root |
| Baker, C. S. | Cullinan | Ingersoll | Sanders |
| Beach | Curtis | Kennedy | Seeley |
| Beates | Cushing | Lefever | Sherman |
| Benedict, E. D. | Davis | Liddle | Shuit |
| Bennett | Deane | Lindsay | Sipp |
| Bradley | Dougherty | Low | Sisson |
| Brennan | Douglass | McAvoy | Skinner |
| Bridges | Duell | McCabe | Slingerland |
| Brodsky | Duguid | McCarthy | Strait |
| Bullock | Ellis | Mead | Tallmadge |
| Carpenter, E. A. | Evans | Miller | Terpeny |
| Carpenter, I. S. | Ferris | Mitchell | Terry |
| Case | Fish | Mooers | Titus |
| Chamberlain | Fiske | Morgan | Travis |
| Chase | Gibbs | Nowlan | Treanor |
| Chickering | Gorsline | O'Connor | Tuthill, H. H. |
| Childs | Gray | Parker | Varnum |
| Clark | Griggs | Potts | Waterbury |
| Clowes | Grosse | Phillips | Wells, D. A. |
| Cohen | Havens | Pitcher | Wells, J. L. |
| Comstock | Hayes | Potts | Wiley |
| Congdon | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message was received from the Governor, in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER,
ALBANY, May 11, 1880.

To the Assembly:

In pursuance of a joint resolution of the Senate and Assembly, herewith is returned, for amendment, Assembly bill No. 193, entitled "An act to establish and maintain a police force in the city of Troy."

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members, being present.

{ AYES 68 }
{ NOES 13 }

Those who voted in the affirmative, were

| | | | |
|--------------|-----------|-----------|-------------|
| Alvord | Clowes | Hoffman | Potts |
| Andrews | Comstock | Howland | Root |
| Baker, B. F. | Congdon | Hurd | Russell |
| Baker, C. S. | Cookinham | Ingersoll | Sherman |
| Beach | Cullinan | Kennedy | Skinner |
| Bradley | Curtis | Lefever | Slingerland |
| Brennan | Davis | Liddle | Tallmadge |
| Brodsky | Deane | Lindsay | Terry |
| Bullock | Douglass | Low | Titus |

the vote by which Senate bill entitled "An act to establish a State board of health" was lost.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }
{ NOES 12 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|-----------------|
| Alvord | Cookinham | Ingersoll | Sherman |
| Andrews | Costello | Kennedy | Sipp |
| Baker, B. F. | Cullinan | Lefever | Skinner |
| Baker, C. S. | Curtis | Liddle | Strait |
| Beates | Cushing | Low | Tallmadge |
| Benedict, E. D. | Davis | McCabe | Terry |
| Bennett | Deane | Miller | Thilemann |
| Bradley | Douglass | Mitchell | Titus |
| Brennan | Duell | Moore | Travis |
| Bridges | Evans | Morgan | Tuthill, H. H. |
| Brodsky | Fiske | Nowlan | Tuttle, R. M. |
| Bullock | Fitzgerald | O'Brien | Van Valkenburgh |
| Carpenter, I. S. | Gray | Parker | Varnum |
| Case | Grosse | Phillips | Warner |
| Chamberlain | Hagan | Pitcher | Waterbury |
| Chase | Havens | Potter | Wells, D. A. |
| Chickering | Hayes | Root | Wells, J. L. |
| Childs | Howland | Russell | Wren |
| Clark | Hurd | Sanders | Youngs |
| Comstock | Husted | Seeley | Mr. Speaker |

Those who voted in the negative, were

| | | | |
|-----------|----------|-------------|-------|
| Clancy | Ellis | McTernan | Tully |
| Crapser | Gorsline | Shuit | Walsh |
| Dougherty | Hoffman | Slingerland | Wiley |

Mr. Travis moved to recommit said bill to the committee on public health, with instructions to amend the same in words following, and report forthwith:

Add at end of section 7, "And the State board of health shall also prepare the necessary methods and forms, and prescribe the rules regulating the issue and use of transfer permits, with the proper coupons attached thereto, to be issued by local organized boards of health, for the transportation of the dead bodies of persons which are to be carried for burial beyond the limits of the counties where the death occurs, and in all cases the said State board of health shall require coupons to be attached to such permits to be detached and preserved by the common carrier, or the person in charge of any vessel, railroad train or vehicle to whom any such dead body shall be delivered for transportation. Any violation of such rules and regulations shall be a misdemeanor."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Bullock, from the committee on public health, reported said bill back, amended as instructed.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 6 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Curtis | Kennedy | Root |
| Andrews | Davis | Lefever | Russell |
| Baker, B. F. | Deane | Liddle | Sanders |
| Baker, C. S. | Douglass | Lindsay | Seeley |
| Beach | Duell | Low | Sherman |
| Beates | Evans | McAvoy | Sipp |
| Bradley | Ferris | McCabe | Skinner |
| Brennan | Fish | Mead | Strait |
| Brodsky | Fiske | Miller | Tallmadge |
| Bullock | Fitzgerald | Mitchell | Terry |
| Carpenter, E. A. | Gray | Mooers | Titus |
| Carpenter, I. S. | Griggs | Morgan | Travis |
| Oase | Hagan | Nowlan | Tuttle, R. M. |
| Chamberlain | Havens | O'Brien | Van Valkenburgh |
| Chase | Hayes | Parker | Varnum |
| Chickering | Hoffman | Phillips | Warner |
| Clark | Howland | Pitcher | Waterbury |
| Comstock | Hurd | Potter | Wells, D. A. |
| Cookinham | Husted | Potts | Wells, J. L. |
| Costello | Ingersoll | Roberts | Youngs |
| Cullinan | | | |

Those who voted in the negative, were

| | | | |
|----------|---------|-------------|-------|
| Cohen | Shanley | Slingerland | Tully |
| Gorsline | Shuit | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to amend chapter 270 of the Laws of 1878, entitled 'An act re-appropriating money for the payment of sums due to contractors for new work upon and extraordinary repairs of the canals,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|-----------|-------------|
| Alvord | Davis | Ingersoll | Sherman |
| Andrews | Deane | Kennedy | Shuit |
| Baker, B. F. | Dougherty | Lefever | Sipp |
| Beach | Douglass | Liddle | Sisson |
| Beates | Duell | Low | Skinner |
| Benedict, E. D. | Duguid | McCabe | Slingerland |
| Benedict, T. R. | Ellis | Miller | Strait |
| Bennett | Evans | Mitchell | Tallmadge |
| Bradley | Fish | Mooers | Terry |
| Bridges | Fiske | Morgan | Titus |

| | | | |
|------------------|------------|----------|---------------|
| Brodsky | Fitzgerald | Newman | Travis |
| Bullock | Gibbs | Parker | Treanor |
| Carpenter, E. A. | Goraline | Phillips | Tully |
| Chamberlain | Gray | Pitcher | Tuttle, R. M. |
| Chase | Griggs | Potts | Varnum |
| Clark | Hagan | Root | Warner |
| Clowes | Havens | Russell | Waterbury |
| Cookinham | Hayes | Seeley | Wells, D. A. |
| Costello | Hoffman | Shanley | Wren |
| Cullinan | Howland | Sheridan | Mr. Speaker |
| Curtis | Hurd | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend chapter 441 of the Laws of 1864, entitled 'An act in relation to the performance of highway labor in Queens county,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|---------------|
| Alverd | Davis | Liddle | Sherman |
| Andrews | Deane | Lindsay | Shuit |
| Baker, B. F. | Dougherty | Low | Sipp |
| Beach | Douglass | McAvoy | Sisson |
| Beates | Duell | McCabe | Skinner |
| Bennett | Ellis | Miller | Steele |
| Bradley | Evans | Mooers | Strait |
| Bridges | Ferris | Morgan | Tallmadge |
| Brodsky | Fiske | Newman | Terpeny |
| Bullock | Fitzgerald | Nowlan | Terry |
| Carpenter, E. A. | Goraline | O'Brien | Titus |
| Carpenter, I. S. | Gray | Parker | Travis |
| Chamberlain | Griggs | Phillips | Treanor |
| Chase | Grosse | Pitcher | Tuttle, R. M. |
| Childs | Havens | Potter | Varnum |
| Clark | Hoffman | Potts | Waterbury |
| Clowes | Howland | Root | Wells, D. A. |
| Congdon | Hurd | Russell | Wells, J. L. |
| Costello | Husted | Sanders | Wren |
| Curtis | Kennedy | Seeley | Youngs |
| Cushing | Lefever | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act amending subdivision 7, chapter 448 of the Laws of 1876, commonly known as the Code of Civil Procedure," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Crapsier | Kennedy | Seeley |
| Andrews | Cushing | Lefever | Shanley |
| Baker, B. F. | Davis | Liddle | Shuit |
| Beach | Deane | Lindsay | Sipp |
| Beates | Dougherty | Low | Sisson |
| Benedict, E. D. | Douglass | McAvoy | Skinner |
| Benedict, T. E. | Duell | McCabe | Slingerland |
| Bennett | Ellis | Miller | Strait |
| Bridges | Ferris | Mooers | Tallmadge |
| Brodsky | Fish | Morgan | Terpeny |
| Bullock | Fiske | Newman | Titus |
| Carpenter, E. A. | Gibbs | Nowlan | Travis |
| Carpenter, I. S. | Gorsline | O'Brien | Tully |
| Case | Gray | O'Connor | Tuttle, R. M. |
| Chase | Griggs | Parker | Van Valkenburgh |
| Chickering | Hagan | Potter | Waterbury |
| Childs | Havens | Potts | Wells, D. A. |
| Clark | Hoffman | Root | Wells, J. L. |
| Cohen | Hurd | Russell | Wren |
| Comstock | Husted | Sanders | Youngs |
| Congdon | Ingersoll | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 188 of the Laws of 1862, entitled 'An act to incorporate the New York State Convention of Universalists, and to organize a missionary board and define its powers and duties,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Davis | Lefever | Sherman |
| Andrews | Deane | Liddle | Shuit |
| Baker, B. F. | Dougherty | Lindsay | Sipp |
| Beach | Douglass | Low | Sisson |
| Beates | Duell | McAvoy | Skinner |
| Benedict, E. D. | Duguid | McCabe | Slingerland |
| Bridges | Ellis | Miller | Steele |
| Brodsky | Ferris | Mooers | Tallmadge |
| Bullock | Fish | Morgan | Terpeny |
| Carpenter, E. A. | Fiske | Newman | Terry |
| Carpenter, I. S. | Gorsline | Nowlan | Titus |
| Case | Gray | O'Brien | Travis |
| Chase | Griggs | O'Connor | Tully |
| Chickering | Hagan | Parker | Tuttle, R. M. |
| Childs | Havens | Pitcher | Van Valkenburgh |
| Clark | Hayes | Potter | Varnum |
| Clowes | Hoffman | Potts | Waterbury |
| Cohen | Howland | Root | Wells, D. A. |
| Congdon | Hurd | Russell | Wells, J. L. |
| Cookinham | Husted | Sanders | Wren |
| Curtis | Ingersoll | Seeley | Youngs |
| Cushing | Kennedy | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Bridges offered for the consideration of the House a resolution in the words following :

Resolved (if the Senate concur), That there be printed 3,500 copies of the Annual Report of the Superintendent of the Insurance Department for the year ending December 31, 1879, bound in cloth as follows : 2,000 copies of the fire and marine reports, and 1,500 copies of the life report, bound separately ; also, ten copies of the full report for each member, and one copy to each officer and reporter of this Legislature ; the whole expense thereof to be paid by the Comptroller, upon the certificate of the Superintendent of the Insurance Department from the surplus fund arising from the excess of moneys paid into the treasury of this State by the Superintendent of the Insurance Department over and above the amounts disbursed on account of said department ; the price for said work not to exceed ten cents per page per 100 copies.

Ordered, That said resolution be referred to the committee on public printing.

The Senate sent for concurrence the bill entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Lindsay, and by unanimous consent, said bill was substituted for Assembly bill No. 355, now on order of third reading.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act to revise and amend title 11 of chapter 271 of the Laws of 1867, entitled 'An act to incorporate the city of Binghamton,' and the several acts amendatory thereof."

"An act in relation to Furman street, in the city of Brooklyn."

"An act in relation to 111th street between 5th and 6th avenues, in the city of New York."

"An act protecting fish in certain waters of the State."

"An act to amend chapter 188 of the Laws of 1862, entitled 'An act to incorporate the New York State Convention of Universalists,' and to organize a missionary board, and to define its powers and duties."

"An act for the incorporation of mutual tontine annuity societies."

"An act for the relief of certain persons engaged in the practice of dentistry in this State."

"An act to legalize the official acts of Casper B. Vescelius, a justice of the peace in the county of Seneca."

"An act providing for the compensation of the county judge and the surrogate of the county of Oneida."

"An act to encourage improvement in steam propulsion upon the Champlain canal."

The hour of six o'clock having arrived, the House adjourned.

WEDNESDAY MORNING, MAY 12, 1880.

The House met pursuant to adjournment.

Prayer by Rev. J. J. Griffiths, Rhinebeck.

The journal of yesterday was read and approved.

Privileges of the floor were granted to the Hon. Judson Pringle, a former member of this House.

Mr. Ingersoll moved to lay all orders of business on the table, for the purpose of taking up the special order of the day.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

The bill entitled "An act to suppress tippling and the drink trade in the counties of Allegany and Steuben," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }
{ NOES 5 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|----------|----------------|
| Alvord | Cushing | Lefever | Sherman |
| Andrews | Deane | Liddle | Shuit |
| Baker, C. S. | Douglass | Low | Sipp |
| Beach | Duell | Miller | Sisson |
| Beates | Duguid | Mooers | Skinner |
| Bradley | Ellis | Morgan | Steele |
| Brennan | Ferris | Nowlan | Tallmadge |
| Bullock | Fish | O'Brien | Terpeny |
| Carpenter, E. A. | Fiske | O'Connor | Titus |
| Case | Gibbs | Parker | Tozier |
| Chamberlain | Gorsline | Peck | Travis |
| Chickering | Gray | Phillips | Treanor |
| Childs | Griggs | Pitcher | Tuthill, H. H. |
| Clark | Hagan | Potts | Tuttle, R. M. |
| Clowes | Hoffman | Root | Varnum |
| Congdon | Howland | Russell | Waterbury |
| Cookinham | Hurd | Sanders | Wells, D. A. |
| Crapser | Husted | Seeley | Weston |
| Cullinan | Kennedy | Shanley | Youngs |
| Curtis | | | |

Those who voted in the negative, were

| | | | |
|---------|----------|------------|--------|
| Brodsky | Costello | Fitzgerald | Newman |
| Cohen | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the incorporation of mutual tontine annuity societies," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 73 }
{ NOES 6 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|----------------|
| Andrews | Cullinan | Howland | Shuit |
| Baker, O. S. | Curtis | Ingersoll | Sipp |
| Beach | Cushing | Kennedy | Sisson |
| Beates | Deane | Liddle | Skinner |
| Benedict, E. D. | Duell | Lindsay | Steele |
| Benedict, T. E. | Ellis | Low | Tallmadge |
| Bennett | Evans | McCabe | Terpeny |
| Brennan | Ferris | McTernan | Titus |
| Bridges | Fish | Miller | Tozier |
| Brodsky | Fiske | Mitchell | Travis |
| Bullock | Fitzgerald | Morgan | Tully |
| Carpenter, E. A. | Gibbs | Phillips | Tuthill, H. H. |
| Carpenter, I. S. | Gorsline | Pitcher | Varnum |
| Case | Gray | Roberts | Waterbury |
| Clark | Griggs | Russell | Wells, D. A. |
| Clowes | Hagan | Seeley | Wells, J. L. |
| Congdon | Havens | Shanley | Weston |
| Cookinham | Hayes | Sherman | Wiley |
| Crapser | | | |

Those who voted in the negative, were

| | | | |
|---------|--------|----------|-------|
| Alvord | Childs | Costello | Potts |
| Bradley | Cohen | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to amend chapter 604 of the Laws of 1875, entitled 'An act to prevent the deposit of carrion, offal or dead animals in the North and East rivers, or in the bay of New York, or in Raritan bay within the jurisdiction of the State of New York,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|----------------|
| Alvord | Congdon | Hurd | Seeley |
| Andrews | Cookinham | Husted | Shanley |
| Baker, B. F. | Crapser | Ingersoll | Sherman |
| Baker, C. S. | Cullinan | Kennedy | Shuit |
| Beach | Curtis | Lefever | Sipp |
| Beates | Cushing | Liddle | Sisson |
| Benedict, E. D. | Dougherty | Lindsay | Skinner |
| Benedict, T. E. | Douglass | Low | Slingerland |
| Bradley | Duell | McCabe | Steele |
| Brennan | Ellis | Miller | Tallmadge |
| Bridges | Evans | Mitchell | Terpeny |
| Brodsky | Ferris | Mooers | Terry |
| Bullock | Fish | Morgan | Tozier |
| Carpenter, E. A. | Fitzgerald | Nowlan | Tuthill, H. H. |
| Carpenter, I. S. | Gibbs | O'Brien | Varnum |
| Case | Gillette | Parker | Warner |
| Chamberlain | Gorsline | Peck | Waterbury |

| | | | |
|------------|---------|----------|--------------|
| Chase | Griggs | Phillips | Wells, D. A. |
| Chickering | Hagan | Potts | Wells, J. L. |
| Childs | Havens | Roberts | Weston |
| Clark | Hayes | Root | Wiley |
| Cohen | Hoffman | Russell | Youngs |
| Comstock | Howland | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to enforce the assessment of shareholders in banking associations to make good a deficit in capital," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 98 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Cullinan | Low | Shuit |
| Andrews | Curtis | McCabe | Sipp. |
| Baker, B. F. | Dougherty | Miller | Sisson |
| Baker, C. S. | Duell | Mitchell | Skinner |
| Beach | Duguid | Moors | Slingerland |
| Beates | Ellis | Morgan | Steele |
| Benedict, E. D. | Evans | Newman | Strait |
| Benedict, T. E. | Ferris | Nowlan | Tallmadge |
| Bradley | Fish | O'Brien | Terpeny |
| Brennan | Fiske | O'Connor | Terry |
| Bridges | Fitzgerald | Parker | Thilemann |
| Brodsky | Gibbs | Peck | Tozier |
| Bullock | Gillette | Phillips | Travis |
| Carpenter, I. S. | Gorsline | Pitcher | Tully |
| Case | Gray | Potts | Tuthill, H. H. |
| Chamberlain | Griggs | Rhodes | Varnum |
| Chase | Hayes | Roberts | Walsh |
| Childs | Hoffman | Root | Warner |
| Clark | Howland | Russell | Waterbury |
| Clowes | Hurd | Sanders | Wells, D. A. |
| Cohen | Ingersoll | Seeley | Wells, J. L. |
| Comstock | Kennedy | Shanley | Weston |
| Congdon | Lefever | Sheridan | Wiley |
| Cookinham | Liddle | Sherman | Youngs |
| Crapser | Lindsay | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to change the name of, and in relation to, the Association for Befriending Children," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 103 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Curtis | Lindsay | Sherman |
| Andrews | Cushing | Low | Shuit |
| Baker, B. F. | Davis | McAvoy | Sipp |
| Baker, C. S. | Dougherty | McCabe | Sisson |
| Beach | Douglass | McTernan | Skinner |
| Beates | Duell | Miller | Slingerland |
| Benedict, E. D. | Duguid | Mitchell | Steele |
| Benedict, T. E. | Ellis | Mooers | Strait |
| Bennett | Evans | Morgan | Tallmadge |
| Bradley | Ferris | Newman | Terpeny |
| Brennan | Fish | Nowlan | Terry |
| Bridges | Fitzgerald | O'Brien | Titus |
| Brodsky | Gibbs | O'Connor | Tozier |
| Bullock | Gillette | Peck | Tully |
| Carpenter, I. S. | Gorsline | Phillips | Tuthill, H. H. |
| Case | Gray | Pitcher | Tuttle, R. M. |
| Chamberlain | Griggs | Potter | Van Valkenburgh |
| Chase | Grosse | Potts | Varnam |
| Chickering | Hayes | Rhodes | Warner |
| Childs | Hoffman | Roberts | Waterbury |
| Clowes | Howland | Root | Wells, D. A. |
| Cohen | Hurd | Russell | Wells, J. L. |
| Comstock | Ingersoll | Sanders | Weston |
| Congdon | Kennedy | Seeley | Wiley |
| Grapsier | Lefever | Shanley | Youngs |
| Cullinan | Liddle | Sheridan | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend section 5 of article 1, title 2, chapter 11 of part 1 of the Revised Statutes, relating to town meetings," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 70 }
{ NOES 13 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|---------|----------------|
| Alvord | Duell | Miller | Tallmadge |
| Andrews | Duguid | Morgan | Terpeny |
| Beach | Evans | Newman | Terry |
| Beates | Fish | Nowlan | Thilemann |
| Benedict, E. D. | Fiske | O'Brien | Titus |
| Bridges | Gibbs | Rhodes | Tozier |
| Brodsky | Gillette | Roberts | Treanor |
| Bullock | Gray | Russell | Tully |
| Clark | Grosse | Sanders | Tuthill, H. H. |
| Clowes | Hayes | Seeley | Tuttle, R. M. |
| Cohen | Ingersoll | Shanley | Warner |
| Comstock | Kennedy | Sherman | Waterbury |
| Congdon | Lefever | Shuit | Wells, D. A. |
| Cookinham | Liddle | Sisson | Wells, J. L. |

| | | | |
|-----------|----------|-------------|--------|
| Costello | Low | Skinner | Weston |
| Cullinan | McCabe | Slingerland | Wiley |
| Cushing | McDonald | Steele | Youngs |
| Dougherty | Mead | | |

Those who voted in the negative, were

| | | | |
|-----------------|----------|--------|-----------------|
| Benedict, T. E. | Crapsier | Parker | Root |
| Case | Havens | Peck | Van Valkenburgh |
| Chamberlain | Mooers | Potts | Mr. Speaker |
| Childs | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the better protection of discharged or pardoned convicts, and to prevent breaches of the public peace, and to punish violations thereof," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 69 }
{ NOES 28 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-------------|--------------|
| Alvord | Dougherty | Low | Tallmadge |
| Andrews | Duguid | McAvoy | Terpeny |
| Baker, C. S. | Evans | Morgan | Terry |
| Beach | Fiske | Newman | Thilemann |
| Beates | Fitzgerald | O'Brien | Titus |
| Bradley | Gibbs | Phillips | Tozier |
| Brodsky | Gillette | Roberts | Travis |
| Bullock | Gray | Russell | Treanor |
| Carpenter, E. A. | Hagan | Seeley | Tully |
| Case | Hayes | Shanley | Varnum |
| Chase | Hurd | Sheridan | Walsh |
| Clancy | Husted | Sherman | Waterbury |
| Clark | Ingersoll | Shuit | Wells, D. A. |
| Comstock | Kennedy | Sipp | Wells, J. L. |
| Cullinan | Lefever | Sisson | Wiley |
| Curtis | Liddle | Skinner | Wren |
| Cushing | Lindsay | Slingerland | Youngs |
| Davis | | | |

Those who voted in the negative, were

| | | | |
|-----------------|----------|----------|----------------|
| Benedict, E. D. | Costello | Havens | O'Connor |
| Benedict, T. E. | Crapsier | Hoffman | Parker |
| Bridges | Ferris | Howland | Peck |
| Chamberlain | Fish | Miller | Potts |
| Childs | Gorsline | Mitchell | Root |
| Cohen | Griggs | Mooers | Tuthill, H. H. |
| Congdon | Grosse | Nowlan | Weston |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence the following resolutions:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of the bill entitled "An act to legalize the official acts and proceedings of Hiram Dimick, a justice of the peace of the town of Wirt, in the county of Allegany."

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein.

Also,

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill entitled "An act prohibiting the sale or giving of spirituous liquors or wine to inmates of the New York State Soldiers and Sailors' Home."

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein.

Also,

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill entitled "An act to amend chapter 264 of the Laws of 1851, entitled 'An act to amend the act entitled 'An act to incorporate the village of Bath, in the county of Steuben,' for amendment."

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein.

Also,

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting that he return to the Senate the bill, not printed, entitled "An act to legalize the acts of Frank M. Goff, a justice of the peace in the county of Monroe."

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein.

Also,

Resolved (if the Assembly concur), That a message be sent to the Governor, requesting the return of Senate bill No. 94, entitled "An act to legalize and confirm the official acts of Jonathan O. Spink, of the town of Orangeville, Wyoming county, as justice of the peace."

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein.

Senate bill entitled "An act to secure uniform ballots and preserve the purity of elections," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }
{ NOES 12 }

Those who voted in the affirmative, were

| | | | |
|--------------|----------|----------|-------------|
| Alvord | Cullinan | Mitchell | Sipp |
| Andrews | Curtis | Moore | Sisson |
| Baker, C. S. | Davis | Morgan | Slingerland |
| Beach | Deane | Newman | Steele |

| | | | |
|------------------|----------|----------|-----------------|
| Beates | Douglass | Nowlan | Tallmadge |
| Benedict, E. D. | Duell | O'Brien | Terry |
| Benedict, T. E. | Evans | Parker | Titus |
| Bradley | Ferris | Peck | Tozier |
| Bridges | Fish | Pitcher | Travis |
| Brodsky | Fiske | Potts | Tuthill, H. H. |
| Carpenter, E. A. | Gillette | Roberts | Tuttle, R. M. |
| Carpenter, I. S. | Gorsline | Root | Van Valkenburgh |
| Case | Havens | Russell | Varnum, |
| Chamberlain | Howland | Sanders | Warner |
| Claney | Husted | Seeley | Waterbury |
| Clark | Kennedy | Shanley | Wells, D. A. |
| Comstock | Lefever | Sheridan | Wells, J. L. |
| Congdon | Low | Sherman | Weston |
| Cookinham | McCabe | Shuit | Youngs |
| Crapser | Miller | | |

Those who voted in the negative, were

| | | | |
|----------|-----------|----------|-----------|
| Cohen | Hayes | McDonald | Thilemann |
| Costello | Hoffman | O'Connor | Tully |
| Cushing | Ingersoll | Skinner | Walsh |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

A message was received from the Governor in the words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }
ALBANY, April 27, 1880. }

To the Assembly:

In accordance with a joint resolution of the Senate and Assembly, herewith is returned, for amendment, Assembly bill No. 54, entitled "An act to amend an act entitled 'An act to incorporate the Public Exchange,' passed April 22, 1868."

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 102 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Cullinan | Liddle | Shuit |
| Andrews | Curtis | Lindsay | Sipp |
| Baker, B. F. | Cushing | Low | Sisson |
| Baker, C. S. | Davis | McAvoy | Skinner |
| Beach | Dougherty | McCabe | Slingerland |
| Beates | Douglass | Miller | Steele |
| Benedict, E. D. | Duell | Mitchell | Strait |
| Bennett | Duguid | Mooers | Tallmadge |
| Bradley | Ellis | Morgan | Terpeny |
| Brennan | Evans | Nowlan | Terry |
| Bridges | Ferris | O'Brien | Titus |
| Brodsky | Fish | Parker | Tozier |
| Bullock | Fiske | Peck | Travis |
| Carpenter, E. A. | Gibbs | Phillips | Tully |
| Carpenter, I. S. | Gillette | Pitcher | Tuthill, H. H. |
| Case | Gorsline | Potts | Tuttle, R. M. |

| | | | |
|-----------|-----------|----------|--------------|
| Chase | Gray | Rhodes | Varnum |
| Childs | Griggs | Roberts | Warner |
| Clark | Grosse | Root | Waterbury |
| Clowes | Hayes | Russell | Wells, D. A. |
| Cohen | Hoffman | Sanders | Wells, J. L. |
| Comstock | Howland | Seeley | Weston |
| Congdon | Hurd | Shanley | Wiley |
| Cookinham | Ingersoll | Sheridan | Wren |
| Costello | Kennedy | Sherman | Youngs |
| Crapser | Lefever | | |

On motion of Mr. Travis, and by unanimous consent, said bill was amended in words following:

Add at end of first section the following: "nor to authorize said company to increase its capital stock to an amount exceeding five millions of dollars."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 78 }
{ NOES 41 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|---------------|
| Alvord | Douglass | Mooers | Skinner |
| Andrews | Duguid | Newman | Slingerland |
| Baker, B. F. | Evans | O'Brien | Steele |
| Baker, C. S. | Ferris | O'Connor | Strait |
| Beach | Fish | Parker | Tallmadge |
| Beates | Fiske | Peck | Terpeny |
| Brennan | Gillette | Phillips | Terry |
| Bridges | Hayes | Potts | Titus |
| Brodsky | Hoffman | Rhodes | Tozier |
| Bullock | Howland | Roberts | Travis |
| Carpenter, I. S. | Hurd | Root | Tully |
| Case | Husted | Russell | Tuttle, R. M. |
| Chase | Ingersoll | Sanders | Warner |
| Childs | Kennedy | Seeley | Waterbury |
| Clark | Lefever | Sheridan | Wells, D. A. |
| Congdon | Liddle | Sherman | Wells, J. L. |
| Crapser | Lindsay | Shuit | Weston |
| Cullinan | Low | Sipp | Wiley |
| Curtis | McCabe | Sisson | Youngs |
| Dougherty | McCarthy | | |

Those who voted in the negative, were
Van Valkenburgh

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The Senate returned Assembly bill entitled "An act making appropriations for certain expenses of government, and supplying deficiencies in former appropriations," with a message that they assent to a committee of conference, and appoint as such committee on its part: Messrs. McCarthy, Braman and Jacobs.

Assembly bill entitled "An act to further amend chapter 459 of the Laws of 1862, entitled 'An act to prevent animals from running at large in the public highways, and the several acts amendatory thereof and supplemental thereto,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 71 }
{ NOES 20 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|--------------|
| Alvord | Clark | Griggs | Root |
| Andrews | Clowes | Hoffman | Russell |
| Baker, B. F. | Comstock | Hurd | Sanders |
| Baker, C. S. | Congdon | Husted | Seeley |
| Beach | Cookinham | Ingersoll | Sheridan |
| Beates | Crapser | Kennedy | Sherman |
| Benedict, E. D. | Cullinan | Lefever | Shuit |
| Bradley | Curtis | Liddle | Sipp |
| Brennan | Davis | Lindsay | Slingerland |
| Bridges | Deane | Low | Steele |
| Brodsky | Douglass | Mead | Tallmadge |
| Bullock | Duell | Miller | Titus |
| Carpenter, E. A. | Duguid | Mooers | Waterbury |
| Carpenter, I. S. | Ellis | Parker | Wells, D. A. |
| Case | Evans | Phillips | Wells, J. L. |
| Chamberlain | Ferris | Pitcher | Weston |
| Chase | Fiske | Potts | Youngs |
| Childs | Gorsline | Roberts | |

Those who voted in the negative, were

| | | | |
|-----------------|------------|----------|---------|
| Benedict, T. E. | Fish | Hayes | Sisson |
| Cohen | Fitzgerald | McAvoy | Skinner |
| Costello | Gibbs | Newman | Terry |
| Cushing | Gillette | O'Connor | Tully |
| Dougherty | Havens | Rhodes | Warner |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to vest in the board of supervisors certain additional powers," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 2 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-------------|
| Alvord | Davis | Liddle | Sanders |
| Andrews | Deane | Lindsay | Seeley |
| Baker, C. S. | Dougherty | Low | Sheridan |
| Beach | Douglass | McAvoy | Sherman |
| Benedict, E. D. | Duell | McCabe | Shuit |
| Bennett | Duguid | McCarthy | Sipp |
| Brennan | Evans | Mead | Sisson |
| Bridges | Ferris | Miller | Skinner |
| Brodsky | Fish | Mooers | Slingerland |
| Bullock | Fiske | Morgan | Steele |
| Carpenter, I. S. | Gibbs | Newman | Strait |
| Case | Gillette | Nowlan | Tallmadge |

| | | | |
|-----------|-----------|----------|--------------|
| Chase | Gorsline | O'Brien | Terry |
| Childs | Gray | O'Connor | Titus |
| Clark | Grosse | Peck | Varnum |
| Cohen | Hoffman | Phillips | Warner |
| Comstock | Howland | Potter | Waterbury |
| Cookinham | Hurd | Potts | Wells, D. A. |
| Costello | Husted | Rhodes | Wells, J. L. |
| Crapser | Ingersoll | Roberts | Wiley |
| Cullinan | Kennedy | Root | Wren |
| Curtis | Lefever | Russell | Youngs |

Those who voted in the negative, were
Benedict, T. E. Havens

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize summary proceedings by mandamus against common carriers," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|---------------|
| Alvord | Crapser | Kennedy | Sanders |
| Andrews | Cullinan | Lefever | Seeley |
| Baker, B. F. | Curtis | Liddle | Shanley |
| Baker, C. S. | Davis | Lindsay | Sherman |
| Beach | Deane | Low | Shuit |
| Beates | Douglass | McAvoy | Sipp |
| Benedict, E. D. | Duell | McCabe | Sisson |
| Bennett | Duguid | McCarthy | Skinner |
| Bradley | Evans | Mead | Slingerland |
| Brennan | Ferris | Miller | Steele |
| Bridges | Fish | Mitchell | Strait |
| Brodsky | Fiske | Morgan | Tallmadge |
| Bullock | Fitzgerald | Nowlan | Terry |
| Carpenter, I. S. | Gibbs | O'Brien | Titus |
| Case | Gillette | O'Connor | Tozier |
| Chamberlain | Gorsline | Parker | Tuttle, R. M. |
| Chase | Gray | Peck | Varnum |
| Childs | Griggs | Phillips | Warner |
| Clark | Grosse | Potts | Waterbury |
| Clowes | Hayes | Rhodes | Wells, D. A. |
| Cohen | Hoffman | Roberts | Wells, J. L. |
| Comstock | Hurd | Root | Weston |
| Congdon | Husted | Russell | Wiley |
| Cookinham | Ingersoll | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message was received from the Governor in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, {
ALBANY, May 11, 1880. }

To the Assembly:

Pursuant to a joint resolution of the Senate and Assembly, Assembly bill No. 180, entitled "An act to establish a local court of civil

jurisdiction in the city of Buffalo, to be called the municipal court of Buffalo, and to amend the charter of said city," is herewith returned for amendment.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 96 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|---------------|
| Alvord | Cullinan | Ingersoll | Russell |
| Andrews | Curtis | Kennedy | Sanders |
| Baker, B. F. | Davis | Lefever | Seeley |
| Baker, C. S. | Deane | Liddle | Shanley |
| Beach | Douglass | Lindsay | Sherman |
| Beates | Duell | Low | Shuit |
| Benedict, E. D. | Duguid | McAvoy | Sipp |
| Bennett | Ellis | McCabe | Sisson |
| Bradley | Evans | McCarthy | Skinner |
| Brennan | Ferris | Miller | Slingerland |
| Bridges | Fish | Mooers | Steele |
| Brodsky | Fiske | Morgan | Strait |
| Bullock | Fitzgerald | Newman | Tallmadge |
| Carpenter, E. A. | Gibbs | Nowlan | Terpeny |
| Carpenter, I. S. | Gillette | O'Brien | Terry |
| Case | Gorsline | O'Connor | Titus |
| Chase | Gray | Parker | Tozier |
| Childs | Griggs | Peck | Tuttle, R. M. |
| Clark | Grosse | Phillips | Varnum |
| Clowes | Hayes | Pitcher | Warner |
| Comstock | Hoffman | Potts | Waterbury |
| Congdon | Howland | Rhodes | Wells, D. A. |
| Cookinham | Hurd | Roberts | Wells, J. L. |
| Crapser | Husted | Root | Weston |

On motion of Mr. Roberts, and by unanimous consent, said bill was amended in words following :

Section 1, lines 4 and 5, by striking out the words "Governor, by and with the advice and consent of the Senate," and inserting in lieu thereof "by the city attorney of the city of Buffalo, by and with the consent of the common council of said city."

Section 2, line 5, strike out the word "Governor" and insert in lieu thereof "city attorney ;" line 1, strike out the word "June" and insert "July."

Section 3, line 9, strike out the word "Governor" and insert "city attorney."

Section 5, lines 28 and 29, strike out the words "section 71 of the Code of Procedure" and insert in lieu thereof "the provisions of the Code of Civil Procedure."

Section 11, line 16, strike out the words "the common council of said city" and insert in lieu thereof "one of the judges of the superior court of Buffalo, after due notice to the judge imposing the fine."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a

majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }
{ NOES 10 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|--------------|
| Alvord | Curtis | Ingersoll | Seeley |
| Andrews | Davis | Kennedy | Sherman |
| Baker, B. F. | Deane | Lefever | Shuit |
| Baker, C. S. | Dougherty | Liddle | Sipp |
| Beach | Douglass | Lindsay | Sisson |
| Beates | Duguid | Low | Skinner |
| Bradley | Evans | McCabe | Slingerland |
| Brennan | Ferris | Miller | Steele |
| Bridges | Fish | Mitchell | Tallmadge |
| Carpenter, E. A. | Fiske | Mooers | Terry |
| Carpenter, I. S. | Fitzgerald | Morgan | Titus |
| Case | Gillette | Nowlan | Tozier |
| Chamberlain | Gorsline | O'Brien | Travis |
| Chase | Gray | Phillips | Warner |
| Childs | Griggs | Pitcher | Waterbury |
| Clark | Grosse | Potts | Wells, D. A. |
| Comstock | Hayes | Roberts | Wells, J. L. |
| Congdon | Hoffman | Root | Weston |
| Cookinham | Howland | Russell | Wren |
| Crapser | Hurd | Sanders | Youngs |
| Cullinan | Husted | | |

Those who voted in the negative, were

| | | | |
|-----------------|----------|--------|-----------|
| Benedict, E. D. | Havens | Newman | Thilemann |
| Benedict, T. E. | McAvoy | Rhodes | Walsh |
| Cohen | McCarthy | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The bill entitled "An act to authorize and direct the county clerk of Richmond county to record certain papers now on file in the Richmond county clerk's office," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 98 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-------------|
| Alvord | Curtis | Kennedy | Root |
| Andrews | Davis | Lefever | Russell |
| Baker, B. F. | Deane | Liddle | Sanders |
| Baker, C. S. | Dougherty | Lindsay | Seeley |
| Beach | Douglass | Low | Sherman |
| Beates | Duell | McAvoy | Shuit |
| Benedict, E. D. | Duguid | McCabe | Sipp |
| Bradley | Ellis | McCarthy | Sisson |
| Brennan | Evans | McDonald | Skinner |
| Bridges | Ferris | McTernan | Slingerland |
| Brodsky | Fish | Mead | Steele |
| Bullock | Fiske | Miller | Strait |
| Carpenter, E. A. | Fitzgerald | Mitchell | Tallmadge |

| | | | |
|------------------|-----------|----------|--------------|
| Carpenter, I. S. | Gibbs | Moore | Terpeny |
| Case | Gillette | Newman | Terry |
| Chase | Gorsline | Nowlan | Titus |
| Childs | Gray | O'Brien | Tozier |
| Clark | Griggs | O'Connor | Travis |
| Cohen | Grosse | Parker | Tully |
| Comstock | Hayes | Peck | Waterbury |
| Congdon | Hoffman | Pitcher | Wells, D. A. |
| Cookinham | Howland | Potts | Wells, J. L. |
| Costello | Hurd | Rhodes | Weston |
| Crapser | Husted | Roberts | Wren |
| Cullinan | Ingersoll | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to amend chapter 440 of the Laws of 1876, entitled 'An act to incorporate the city of Cohoes, and the acts amendatory of the same,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 101 }
{ NOES. 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|----------------|
| Alvord | Costello | Ingersoll | Seeley |
| Andrews | Crapser | Kennedy | Shanley |
| Baker, B. F. | Cullinan | Lefever | Sherman |
| Baker, C. S. | Curtis | Liddle | Shuit |
| Beach | Davis | McAvoy | Sipp |
| Beates | Deane | McCabe | Sisson |
| Benedict, E. D. | Douglass | McCarthy | Skinner |
| Benedict, T. E. | Duell | McDonald | Slingerland |
| Bennett | Duguid | McTernan | Steele |
| Bradley | Ellis | Miller | Strait |
| Brennan | Ferris | Mitchell | Tallmadge |
| Bridges | Fish | Moore | Terpeny |
| Brodsky | Fiske | Morgan | Terry |
| Bullock | Fitzgerald | Nowlan | Titus |
| Carpenter, E. A. | Gibbs | O'Brien | Tozier |
| Carpenter, I. S. | Gillette | Parker | Travis |
| Case | Gorsline | Peck | Tuthill, H. H. |
| Chamberlain | Gray | Phillips | Varnum |
| Chase | Griggs | Pitcher | Warner |
| Childs | Grosse | Potts | Waterbury |
| Clark | Hayes | Rhodes | Wells, D. A. |
| Clowes | Hoffman | Roberts | Wells, J. L. |
| Cohen | Howland | Root | Weston |
| Comstock | Hurd | Russell | Wren |
| Congdon | Husted | Sanders | Youngs |
| Cookinham | | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act further to amend chapter 131 of the Laws of 1855, entitled 'An act to incorporate the trustees of the church erection fund of the General Assembly of the Presbyterian Church in the United States of America,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 103 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Cullinan | Kennedy | Sheridan |
| Andrews | Curtis | Lefever | Sherman |
| Baker, B. F. | Cushing | Liddle | Shuit |
| Baker, C. S. | Davis | Lindsay | Sipp |
| Beach | Deane | Low | Sisson |
| Beates | Douglass | McAvoy | Skinner |
| Benedict, E. D. | Duell | McCabe | Slingerland |
| Benedict, T. E. | Duguid | McCarthy | Steele |
| Bradley | Ellis | McDonald | Strait |
| Brennan | Evans | Mead | Tallmadge |
| Bridges | Ferris | Miller | Terpeny |
| Brodsky | Fish | Mitchell | Terry |
| Bullock | Fiske | Mooers | Titus |
| Carpenter, E. A. | Fitzgerald | Newman | Tozier |
| Carpenter, I. S. | Gibbs | Nowlan | Travis |
| Case | Gillette | O'Brien | Tully |
| Chamberlain | Gorsline | O'Connor | Tuthill, H. H. |
| Chase | Gray | Parker | Varnum |
| Childs | Griggs | Phillips | Warner |
| Clark | Grosse | Pitcher | Waterbury |
| Cohen | Hayes | Potts | Wells, D. A. |
| Comstock | Hoffman | Rhodes | Wells, J. L. |
| Congdon | Howland | Roberts | Weston |
| Cookinham | Hurd | Root | Wren |
| Costello | Husted | Russell | Youngs |
| Crapser | Ingersoll | Seeley | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to amend chapter 371 of the Laws of 1875, entitled 'An act to conform the charters of all savings banks or institutions for savings to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision and for the administration of their affairs,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }
{ NOES 6 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|----------|-----------|
| Alvord | Crapser | Lefever | Seeley |
| Andrews | Cushing | Liddle | Shanley |
| Beach | Davis | Low | Sheridan |
| Beates | Deane | McAvoy | Sherman |
| Benedict, E. D. | Dougherty | McCabe | Shuit |
| Bradley | Duguid | McCarthy | Sipp |
| Bridges | Ferris | McTernan | Tallmadge |

| | | | |
|------------------|------------|----------|----------------|
| Brodsky | Fish | Mead | Terry |
| Bullock | Fiske | Miller | Thilemann |
| Carpenter, I. S. | Fitzgerald | Mooers | Tozier |
| Case | Gillette | Morgan | Travis |
| Chamberlain | Gorsline | Nowlan | Tuthill, H. H. |
| Chase | Gray | Parker | Varnum |
| Childs | Grosse | Phillips | Walsh |
| Clark | Hayes | Pitcher | Warner |
| Cohen | Hoffman | Rhodes | Wells, D. A. |
| Comstock | Howland | Roberts | Wells, J. L. |
| Congdon | Husted | Russell | Weston |
| Cookinham | Kennedy | Sanders | Youngs |
| Costello | | | |

Those who voted in the negative, were

| | | | |
|----------|---------|-------|-------|
| Cullinan | Potts | Titus | Tully |
| Mitchell | Skinner | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. E. A. Carpenter moved to reconsider the vote by which the Senate amendments to Assembly bill entitled "An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,'" was concurred in.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said amendments were concurred in, and it was determined in the affirmative.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Douglass | McCabe | Shuit |
| Andrews | Duell | Miller | Sipp |
| Beach | Duguid | Mitchell | Sisson |
| Benedict, E. D. | Ellis | Mooers | Skinner |
| Bradley | Fish | Morgan | Slingerland |
| Brodsky | Gibbs | Newman | Steele |
| Bullock | Gillette | Nowlan | Terpeny |
| Carpenter, E. A. | Gorsline | O'Brien | Thilemann |
| Carpenter, I. S. | Gray | Parker | Titus |
| Chamberlain | Grosse | Phillips | Tozier |
| Chase | Hayes | Pitcher | Travis |
| Clark | Hoffman | Potts | Tully |
| Cohen | Howland | Rhodes | Tuthill, H. H. |
| Comstock | Hurd | Roberts | Tuttle, R. M. |
| Congdon | Ingersoll | Root | Varnum |
| Costello | Kennedy | Russell | Warner |
| Crapser | Lefever | Sanders | Waterbury |
| Curtis | Liddle | Seeley | Wells, D. A. |
| Cushing | Lindsay | Shanley | Wells, J. L. |
| Davis | Low | Sheridan | Weston |
| Deane | McAvoy | Sherman | Wren |
| Dougherty | | | |

Mr. E. A. Carpenter moved to amend said bill in words following:

Amend by inserting, in section 3, line 19, after the word "bay" "except so much thereof as is within the jurisdiction of the town of Islip, and not included in the Brookhaven and Smith patents."

Strike out, in section 3, line 22, after the word "waters" the words "and during the months of June and July no fish shall be taken by pound or trap-net in the waters of Gardiner's bay or Shelter Island sound."

Mr. Speaker put the question whether the House would agree to said amendments, and it was determined in the affirmative.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Davis | Lindsay | Shanley |
| Andrews | Deane | Low | Sheridan |
| Beach | Dougherty | McAvoy | Sherman |
| Beates | Douglass | McCabe | Sipp |
| Bradley | Duell | McCarthy | Sisson |
| Bridges | Duguid | Miller | Skinner |
| Brodsky | Ellis | Mitchell | Tallmadge |
| Bullock | Evans | Mooers | Terpeny |
| Carpenter, E. A. | Fish | Morgan | Terry |
| Carpenter, I. S. | Fiske | Newman | Thilemann |
| Chamberlain | Fitzgerald | Nowlan | Titus |
| Chase | Gibbs | O'Connor | Tozier |
| Childs | Gillette | Parker | Treanor |
| Clark | Gorsline | Peck | Tuthill, H. H. |
| Comstock | Gray | Phillips | Tuttle, R. M. |
| Congdon | Hayes | Potter | Varnum |
| Cookinham | Hoffman | Potts | Warner |
| Costello | Howland | Rhodes | Waterbury |
| Crapser | Husted | Roberts | Wells, J. L. |
| Cullinan | Kennedy | Root | Weston |
| Curtis | Lefever | Russell | Wren |
| Cushing | Liddle | Seeley | Youngs |

Those who voted in the negative, were

Grosse

Ordered, That the Clerk deliver said bill to the Senate, with a message informing that the Assembly have non-concurred in the amendments adopted by the Senate, and request their concurrence therein, as amended.

Senate bill entitled "An act to confirm the title of Frederick J. Buchenberger to certain real estate in the city of Brooklyn purchased by him from the Centenary Universalist Sunday School Society of Brooklyn," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|---------|-----------|---------|----------|
| Alvord | Deane | Lindsay | Sheridan |
| Andrews | Dougherty | Low | Sherman |

| | | | |
|------------------|------------|----------|---------------|
| Beach | Douglass | McAvoy | Shuit |
| Beates | Duell | McCabe | Sisson |
| Benedict, E. D. | Duguid | McCarthy | Skinner |
| Benedict, T. E. | Ellis | McTernan | Tallmadge |
| Bradley | Evans | Miller | Terpeny |
| Brodsky | Fish | Mitchell | Terry |
| Bullock | Fitzgerald | Mooers | Thilemann |
| Carpenter, E. A. | Gibbs | Morgan | Titus |
| Carpenter, I. S. | Gillette | Newman | Tozier |
| Chamberlain | Gorsline | Parker | Travis |
| Chase | Gray | Phillips | Tuttle, R. M. |
| Childs | Grosse | Pitcher | Varnum |
| Clark | Hayes | Potts | Warner |
| Comstock | Hoffman | Rhodes | Waterbury |
| Congdon | Howland | Roberts | Wells, D. A. |
| Cookinham | Husted | Root | Wells, J. L. |
| Crapeer | Kennedy | Russell | Weston |
| Curtis | Lefever | Seeley | Wren |
| Cushing | Liddle | Shanley | Youngs |
| Davis | | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Bixby (introductory No. 295), entitled "An act in regard to markets in the city of New York, and to provide for the rebuilding of the same," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Senate bill entitled "An act relating to certain local improvements in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|----------|---------------|
| Alvord | Cushing | Lindsay | Sherman |
| Andrews | Davis | Low | Shuit |
| Baker, C. S. | Deane | McAvoy | Sipp |
| Beach | Douglass | McCabe | Skinner |
| Beates | Duguid | McDonald | Slingerland |
| Benedict, T. E. | Ellis | Miller | Steele |
| Bradley | Evans | Mooers | Tallmadge |
| Bridges | Ferris | Morgan | Terry |
| Brodsky | Fish | Newman | Thilemann |
| Bullock | Fiske | Nowlan | Titus |
| Carpenter, E. A. | Gillette | O'Brien | Tozier |
| Carpenter, I. S. | Gorsline | O'Connor | Travis |
| Chamberlain | Gray | Peck | Tully |
| Chase | Havens | Phillips | Tuttle, R. M. |
| Childs | Hayes | Pitcher | Varnum |
| Clark | Hoffman | Potter | Warner |
| Comstock | Howland | Potts | Waterbury |

| | | | |
|-----------|-----------|----------|--------------|
| Congdon | Husted | Roberts | Wells, D. A. |
| Cookinham | Ingersoll | Root | Wells, J. L. |
| Costello | Kennedy | Russell | Weston |
| Crapeer | Lefever | Seeley | Wren |
| Cullinan | Liddle | Sheridan | Youngs |
| Curtis | | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend chapter 36 of the Laws of 1873, entitled 'An act to provide for a supply of water in the city of Yonkers,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|----------|----------------|
| Alvord | Cushing | Lindsay | Shuit |
| Andrews | Davis | Low | Sipp |
| Baker, B. F. | Deane | McAvoy | Sisson |
| Baker, C. S. | Douglass | McCabe | Skinner |
| Beates | Duell | McDonald | Steele |
| Benedict, E. D. | Ellis | McTernan | Tallmadge |
| Bennett | Ferris | Miller | Terpeny |
| Bradley | Gibbs | Mooers | Terry |
| Bridges | Gillette | Morgan | Titus |
| Brodsky | Gorsline | Newman | Tozier |
| Bullock | Gray | O'Brien | Travis |
| Carpenter, I. S. | Griggs | Peck | Tuthill, H. H. |
| Chamberlain | Hagan | Phillips | Tuttle, R. M. |
| Chickering | Havens | Pitcher | Varnum |
| Clark | Hayes | Potts | Waterbury |
| Clowes | Hoffman | Roberts | Wells, D. A. |
| Comstock | Howland | Root | Wells, J. L. |
| Congdon | Husted | Russell | Weston |
| Cookinham | Kennedy | Sanders | Wren |
| Crapeer | Lefever | Seeley | Youngs |
| Cullinan | Liddle | Sherman | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to change the name of the First Castile Society of Castile, Wyoming county, and State of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|---------|-----------|----------|----------|
| Alvord | Davis | Low | Sheridan |
| Andrews | Dougherty | McCabe | Sherman |
| Beach | Douglass | McCarthy | Shuit |

| | | | |
|------------------|----------|----------|----------------|
| Beates | Ellis | Miller | Sisson |
| Benedict, E. D. | Evans | Mitchell | Skinner |
| Benedict, T. E. | Ferris | Mooers | Slingerland |
| Bradley | Fish | Morgan | Steele |
| Bridges | Fiske | Newman | Tallmadge |
| Brodsky | Gibbs | Nowlan | Terpeny |
| Bullock | Gillette | O'Brien | Terry |
| Carpenter, I. S. | Gorsline | Parker | Titus |
| Chamberlain | Gray | Peck | Tozier |
| Childs | Grosse | Phillips | Travis |
| Cohen | Havens | Pitcher | Tuthill, H. H. |
| Comstock | Hayes | Potts | Tuttle, R. M. |
| Congdon | Hoffman | Rhodes | Warner |
| Cookinham | Howland | Roberts | Waterbury |
| Costello | Husted | Root | Wells, D. A. |
| Crapser | Kennedy | Russell | Wells, J. L. |
| Curtis | Lefever | Sanders | Weston |
| Cushing | Liddle | Seeley | Wren |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to authorize the investment of moneys applicable to the redemption of bonds of the town of Westport, Essex county, New York, on real estate security," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 96 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Crapser | Kennedy | Seeley |
| Andrews | Cullinan | Lefever | Sheridan |
| Baker, B. F. | Curtis | Liddle | Sherman |
| Baker, C. S. | Cushing | Lindsay | Shuit |
| Beach | Davis | Low | Sipp |
| Beates | Deane | McAvoy | Sisson |
| Benedict, E. D. | Dougherty | McCabe | Skinner |
| Bradley | Douglass | McCarthy | Slingerland |
| Brennan | Duell | McDonald | Steele |
| Bridges | Duguid | McTernan | Strait |
| Brodsky | Ellis | Mead | Tallmadge |
| Bullock | Evans | Miller | Terpeny |
| Carpenter, E. A. | Ferris | Mooers | Terry |
| Carpenter, I. S. | Fish | Morgan | Titus |
| Case | Fiske | Nowlan | Tozier |
| Chamberlain | Gillette | O'Brien | Travis |
| Chase | Gorsline | Parker | Van Valkenburgh |
| Childs | Gray | Peck | Warner |
| Clark | Griggs | Phillips | Waterbury |
| Cohen | Hayes | Potts | Wells, D. A. |
| Comstock | Hoffman | Rhodes | Wells, J. L. |
| Congdon | Howland | Root | Weston |
| Cookinham | Husted | Russell | Wren |
| Costello | Ingersoll | Sanders | Youngs |

Those who voted in the negative, were

Grosse

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 99 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|---------------|
| Alvord | Davis | Lindsay | Sherman |
| Andrews | Deane | Low | Shuit |
| Baker, C. S. | Dougherty | McAvo | Sipp |
| Beach | Douglass | McCabe | Sisson |
| Beates | Duell | McCarthy | Skinner |
| Bradley | Duguid | McDonald | Slingerland |
| Brennan | Ellis | McTernan | Steele |
| Bridges | Evans | Miller | Strait |
| Brodaky | Ferris | Mooers | Tallmadge |
| Bullock | Fish | Morgan | Terpeny |
| Carpenter, E. A. | Fiske | Newman | Titus |
| Carpenter, I. S. | Gibbs | Nowlan | Tozier |
| Chamberlain | Gillette | O'Brien | Travis |
| Chase | Gorsline | Parker | Tully |
| Childs | Gray | Peck | Tuttle, R. M. |
| Clark | Grosse | Phillips | Varnum |
| Clowes | Hayes | Pitcher | Walsh |
| Cohen | Hoffman | Potts | Warner |
| Comstock | Howland | Rhodes | Waterbury |
| Congdon | Hurd | Roberts | Wells, D. A. |
| Cookinham | Husted | Root | Wells, J. L. |
| Craper | Ingersoll | Russell | Weston |
| Cullinan | Kennedy | Sanders | Wren |
| Curtis | Lefever | Shanley | Youngs |
| Cushing | Liddle | Sheridan | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act further to amend chapter 449 of the Laws of 1853, entitled 'An act to amend the act incorporating the village of Attica, passed May 2, 1837, to alter the bounds, and to enlarge the powers of the corporation of said village,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 96 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|--------------|---------|---------|---------|
| Alvord | Cushing | Lefever | Sherman |
| Andrews | Davis | Liddle | Shuit |
| Baker, B. F. | Deane | Lindsay | Sipp |

| | | | |
|------------------|-----------|----------|-----------------|
| Baker, C. S. | Dougherty | Low | Sisson |
| Beach | Douglass | McAvoy | Skinner |
| Beates | Duell | McCabe | Slingerland |
| Bradley | Duguid | McCarthy | Steele |
| Brennan | Ellis | McDonald | Strait |
| Bridges | Evans | Miller | Tallmadge |
| Brodsky | Ferris | Mitchell | Terpeny |
| Bullock | Fish | Moore | Terry |
| Carpenter, E. A. | Fiske | Nowlan | Titus |
| Carpenter, I. S. | Gibbs | O'Brien | Tozier |
| Chamberlain | Gillette | Parker | Travis |
| Chase | Gorsline | Peck | Tuttle, R. M. |
| Childs | Gray | Phillips | Van Valkenburgh |
| Clark | Grosse | Potts | Varnum |
| Clowes | Hayes | Roberts | Warner |
| Cohen | Hoffman | Root | Waterbury |
| Comstock | Howland | Russell | Wells, D. A. |
| Congdon | Hard | Sanders | Wells, J. L. |
| Craper | Husted | Seeley | Weston |
| Cullinan | Ingersoll | Shanley | Wren |
| Curtis | Kennedy | Sheridan | Youngs |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to authorize the supervisors of the town of Attica, in Wyoming county, to purchase lots of the Attica Cemetery Association, and to remove to and reinter therein the bodies now remaining in the old burial ground in the village of Attica; to sell said old burial ground, and to defray the expense of removing the bodies therefrom and reintering the same in the new grounds," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 105 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Cullinan | Kennedy | Seeley |
| Andrews | Curtis | Lefever | Shanley |
| Baker, B. F. | Cushing | Liddle | Sherman |
| Baker, C. S. | Davis | Lindsay | Shuit |
| Beach | Deane | Low | Sipp |
| Beates | Dougherty | McAvoy | Sisson |
| Benedict, E. D. | Douglass | McCabe | Skinner |
| Benedict, T. E. | Duell | McCarthy | Slingerland |
| Bradley | Duguid | McDonald | Steele |
| Brennan | Ellis | McTernan | Strait |
| Bridges | Evans | Mead | Tallmadge |
| Brodsky | Ferris | Miller | Terpeny |
| Bullock | Fish | Mitchell | Terry |
| Carpenter, E. A. | Fiske | Moore | Titus |
| Carpenter, I. S. | Gibbs | Morgan | Tozier |
| Cass | Gillette | Nowlan | Travis |
| Chamberlain | Gorsline | O'Brien | Tuttle, R. M. |
| Chase | Gray | Parker | Van Valkenburgh |
| Childs | Griggs | Peck | Varnum |

| | | | |
|-----------|-----------|----------|--------------|
| Clark | Grosse | Phillips | Warner |
| Clowes | Hayes | Potts | Waterbury |
| Cohen | Hoffman | Rhodes | Wells, D. A. |
| Comstock | Howland | Roberts | Wells, J. L. |
| Congdon | Hurd | Root | Weston |
| Cookinham | Husted | Russell | Wren |
| Costello | Ingersoll | Sanders | Youngs |
| Crapser | | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act in relation to arrears of personal taxes in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 99 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|--------------|
| Alvord | Crapser | Lefevor | Sheridan |
| Andrews | Cullinan | Liddle | Sherman |
| Baker, B. F. | Curtis | Lindsay | Shuit |
| Baker, C. S. | Davis | Low | Sipp |
| Beach | Deane | McAvoy | Sisson |
| Beates | Dougherty | McCabe | Skinner |
| Benedict, E. D. | Douglass | McCarthy | Slingerland |
| Bennett | Duell | McDonald | Steele |
| Bradley | Duguid | McTernan | Strait |
| Brennan | Evans | Mead | Tallmadge |
| Bridges | Ferris | Miller | Terpeny |
| Brodaky | Fish | Mooers | Terry |
| Bullock | Fiske | Nowlan | Thilemann |
| Carpenter, E. A. | Gibbs | O'Brien | Titus |
| Carpenter, I. S. | Gillette | O'Connor | Tozier |
| Chamberlain | Gorsline | Parker | Travis |
| Chase | Gray | Peck | Walsh |
| Childs | Griggs | Phillips | Warner |
| Clark | Hayes | Pitcher | Waterbury |
| Clowes | Hoffman | Potts | Wells, D. A. |
| Cohen | Howland | Roberts | Wells, J. L. |
| Comstock | Hurd | Root | Weston |
| Congdon | Husted | Sanders | Wren |
| Cookinham | Ingersoll | Seeley | Youngs |
| Costello | Kennedy | Shanley | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to authorize Long Island City to issue bonds or certificates of indebtedness to an amount not exceeding fifty per cent of sums due for arrears of taxes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 98 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|---------------|
| Alvord | Davis | Lindsay | Sherman |
| Andrews | Deane | Low | Shuit |
| Baker, B. F. | Douglass | McAvoy | Sipp |
| Baker, C. S. | Duell | McCabe | Sisson |
| Beach | Duguid | McCarthy | Skinner |
| Beates | Ellis | McDonald | Slingerland |
| Benedict, E. D. | Evans | McTernan | Steele |
| Bennett | Ferris | Mead | Strait |
| Bradley | Fish | Miller | Tallmadge |
| Brennan | Fiske | Mooers | Terpeny |
| Bridges | Gibbs | Morgan | Terry |
| Brodaky | Gillette | Nowlan | Thilemann |
| Bullock | Gorsline | O'Brien | Titus |
| Carpenter, E. A. | Gray | O'Connor | Tozier |
| Carpenter, I. S. | Griggs | Parker | Travis |
| Chamberlain | Grosse | Peck | Tuttle, R. M. |
| Chase | Hayes | Potts | Varnum |
| Clark | Hoffman | Roberts | Warner |
| Clowes | Howland | Root | Waterbury |
| Cohen | Hurd | Russell | Walls, D. A. |
| Comstock | Husted | Sanders | Wells, J. L. |
| Cookinham | Ingersoll | Seeley | Weston |
| Crapser | Kennedy | Shanley | Wren |
| Cullinan | Lefever | Sheridan | Youngs |
| Curtis | Liddle | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act in relation to 111th street, between 5th and 6th avenues, in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 107 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Curtis | Liddle | Sherman |
| Andrews | Cushing | Lindsay | Shuit |
| Baker, B. F. | Davis | Low | Sipp |
| Baker, C. S. | Deane | McAvoy | Sisson |
| Beach | Dougherty | McCabe | Skinner |
| Beates | Douglass | McCarthy | Slingerland |
| Benedict, E. D. | Duell | McDonald | Steele |
| Bennett | Duguid | McTernan | Strait |
| Bradley | Ellis | Mead | Tallmadge |
| Brennan | Evans | Miller | Terpeny |
| Bridges | Ferris | Mooers | Terry |
| Bredsky | Fish | Morgan | Thilemann |
| Bullock | Fiske | Newman | Titus |
| Carpenter, E. A. | Fitzgerald | Nowlan | Tozier |
| Carpenter, I. S. | Gibbs | O'Brien | Travis |
| Case | Gillette | O'Connor | Treanor |
| Chamberlain | Gray | Parker | Van Valkenburgh |
| Chase | Griggs | Peck | Varnum |

| | | | |
|-----------|-----------|----------|--------------|
| Clark | Hagan | Pitcher | Walah |
| Clowes | Hayes | Potts | Warner |
| Cohen | Hoffman | Rhodes | Waterbury |
| Comstock | Howland | Roberts | Wells, D. A. |
| Congdon | Hurd | Root | Wells, J. L. |
| Cookinham | Husted | Sanders | Weston |
| Costello | Ingersoll | Seeley | Wren |
| Crapser | Kennedy | Shanley | Youngs |
| Cullinan | Lefever | Sheridan | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act in regard to markets in the city of New York, and to provide for the rebuilding of the same," being announced for a third reading, Mr. Mitchell moved to recommit said bill to the committee on affairs of cities, with instructions to amend said bill in words following:

Strike out from first section the words "and on that portion of the present site of West Washington Market, in said Third ward of said city, which is not required for the widening of West street, and west of the present site of West Washington Market, from the line of Fulton street on the south to the line of Vesey street on the north, to the established exterior pier line."

Mr. Speaker put the question whether the House would agree to the motion of Mr. Mitchell, and it was determined in the negative.

Mr. Cohen moved to recommit said bill to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }
{ NOES 8 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Douglass | McAvoy | Sherman |
| Andrews | Duell | McCabe | Shuit |
| Baker, C. S. | Ellis | McCarthy | Sipp |
| Bennett | Evans | Miller | Tallmadge |
| Bradley | Fiske | Mooers | Terpeny |
| Brennan | Fitzgerald | Morgan | Terry |
| Brodsky | Gibbs | Newman | Thilemann |
| Bullock | Gillette | Nowlan | Titus |
| Carpenter, E. A. | Gorsline | O'Brien | Tozier |
| Carpenter, I. S. | Gray | O'Connor | Travis |
| Case | Griggs | Peck | Treanor |
| Chase | Grosse | Phillips | Tully |
| Comstock | Hagan | Potts | Van Valkenburgh |
| Cookinham | Hoffman | Rhodes | Varnum |
| Costello | Howland | Roberts | Walsh |
| Crapser | Hurd | Root | Warner |
| Cullinan | Kennedy | Russell | Waterbury |
| Curtis | Liddle | Sanders | Wells, J. L. |
| Cushing | Lindsay | Shanley | Weston |
| Davis | Low | Sheridan | Wren |

Those who voted in the negative, were

Chamberlain
Deane

Dougherty
Ferris

Mitchell
Pitcher

Seeley
Tuttle, R. M.

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Titus, from the sub-committee of the whole, presented a report from said committee, which was laid on the table and ordered printed.

(See Doc. No. 136.)

The Senate returned the Assembly bill entitled "An act in relation to the government of the city of Brooklyn," with a message that they have passed the same, with the following amendments:

Strike out all after the enacting clause, and insert the following:

Section 1. Within thirty days after the passage of this act, the mayor and comptroller shall meet at the mayor's office and shall agree upon and appoint eight assessors to hold office as hereinafter provided, two for each term; and they shall also agree upon and appoint a proper person to be the head of the department of police and excise, and designated the commissioner of police and excise; and the said mayor and comptroller shall also agree upon and appoint a proper person who shall be the head of the department of city works and designated the commissioner of said department; also two proper persons to be commissioners of excise; also a proper person who shall be the head of the fire department and designated as the commissioner of said department; also a proper person who shall be the head of the department of buildings and to be designated the commissioner thereof; also a proper person who shall be the head of the department of health and designated as the commissioner of said department; and the president of the department of police and excise and the president of the board of aldermen shall thereupon cease to be members of the board of health of said city; the said mayor and comptroller shall also agree upon and appoint a proper person to be president of the department of assessment, who, together with the eight assessors appointed as hereinbefore provided, shall constitute the department of assessment; and in case they shall fail to agree upon one or more of said appointments, for a period of thirty days after the passage of this act, then and in that case no further action shall be taken thereon by the said mayor and comptroller, but such appointments as shall not have been agreed upon and made shall be made by the mayor alone on the first Monday of January, 1882. Each of the persons so appointed by the mayor and comptroller shall take the oath of office and file the same with the city clerk, together with his official bond, as now prescribed by law, to be approved by the mayor and comptroller, and thereupon the persons so appointed shall respectively take and hold the office to which each shall have been so appointed until the first day of February, 1882, except that the assessors shall hold office as hereinafter provided; and the persons so appointed by the mayor alone shall in like manner take the oath of office and file their bonds and hold office for a term as provided in section six of this act; and upon the making of the appointments respectively provided for in this section the term of office of the present presidents and other heads of said departments respectively and of the present assessors shall cease and determine, and thereafter all the powers, duties, obligations,

rights and privileges of the heads of the said several departments, as now prescribed by law, shall devolve upon the heads of such departments, respectively, appointed under this act.

§ 2. The said two commissioners of excise shall act on all matters relating to excise with the commissioner of police and excise to be appointed pursuant to this act and in respect to all matters of excise, but not of police, shall each possess the same power as the said commissioner of police and excise, who, nevertheless, shall be president of the commissioners of excise and the head thereof. Their successors shall be appointed in the manner and for the term prescribed in section 6 of this act. As to the present department of fire and buildings, all the powers, duties, obligations, rights and privileges of said department relating to the extinguishing of fires, or in any wise appertaining thereto, shall, upon the appointment and qualification of the said fire commissioner, be vested in the head of the fire department, and all the powers, duties, obligations, rights and privileges of said department of fire and buildings relating to the erection, alteration and repair of buildings, or in any wise appertaining thereto, shall be vested exclusively in the commissioner of buildings to be appointed as provided by section 1 of this act, and who shall organize and constitute a department of buildings; and the appointment of either the fire commissioner or commissioner of buildings shall become valid only upon the appointment and qualification of both said commissioners; and the appointment of the commissioners of police and excise and the two commissioners of excise shall become valid only upon the appointment and qualification of the said three commissioners respectively; and the appointment of the said eight assessors shall become valid only upon the appointment and qualification of all said assessors.

§ 3. Two of the said assessors to be appointed by the mayor and comptroller shall be appointed to hold office until the first day of September, 1882, two until the first day of September, 1883, two until the first day of September, 1884, and two until the first day of September, 1885; the salary of the president of the board of assessors shall be at the rate of \$4,000 per year, and after the year 1880, the salary of the president of the board of aldermen shall be at the rate of \$1,000 per year. The salary of the said two commissioners of excise shall be at the rate of \$2,500 per annum. The salary of the said commissioner of buildings shall be at the rate of \$3,000 per annum. The salary of the commissioners of police and excise and of city works, respectively, to be appointed as by this act provided, shall be the same as that of the present presidents of the said departments respectively; the salary of the fire commissioner and the health commissioner shall be the same as that of the president of the department of fire and buildings, and the present president of the department of health respectively. To meet any necessary expenses of the said department of buildings for the remainder of the year 1880, it shall be the duty of the comptroller to transfer from the funds raised for the department of fire and buildings to the credit of an account to be opened for the said department of buildings, such moneys as have been raised and appropriated for the purpose of overseeing the construction, alteration and repair of buildings.

§ 4. No person shall be appointed as herein provided unless he is an elector of said city at the time of his appointment. The head of each of said departments (except the department of assessment) shall have

power to designate and appoint, and at pleasure remove a person in his department as his deputy or first assistant; and the person so designated as deputy or first assistant shall, during the absence or inability of the head of the department by whom he was appointed, have power to perform all the ordinary duties of such head of department, except the power to make appointments, subject, however, to such restrictions or regulations as may be provided by the head of the department so appointing him. All official business of the said several departments shall be transacted at the offices of the said departments, and a continuous record or minute shall be kept at the said offices, respectively, of such business.

§ 5. Any vacancy in any office in the city of Brooklyn, including the board of education, which shall occur prior to January 1, 1881, by expiration of the term of office or otherwise, shall be filled by the mayor and comptroller, and all vacancies occurring during the year 1881, through death, resignation or removal from office prior to the expiration of the term for which an officer shall have been appointed, shall be filled by the mayor alone, and all power now conferred by law upon the mayor with consent of the common council to appoint any person in said city is hereby abolished. All vacancies occurring during the term for which an officer shall have been appointed shall be filled only for the unexpired term of such officer.

§ 6. After the first day of January, 1882, the mayor of the city of Brooklyn shall have sole and exclusive power to appoint the successor of any commissioner or other head of department (except the department of finance and the department of audit), or of any assessor or member of the board of education of said city, when the terms of such officers shall respectively expire or as by law may then or thereafter be required to be appointed, and the term of office of such appointees and their successors, except assessors, whose term shall be for four years, shall be for two years; provided, however, that if the mayor shall refuse or neglect, for a period of thirty days after the expiration of the term of any officer, to make an appointment to office authorized to be made pursuant to this section, then and in that case such refusal or neglect shall be adjudged and deemed to be in all respects equivalent to and taken as an express appointment of the commissioner or other officer who may at the time be holding such office.

§ 7. The officer or officers at the head of any department may appoint and remove his or their clerks and assistants and other subordinates, and fix their salaries; provided, however, that on and after the expiration of thirty days from the time when a new officer or officers shall have been appointed as such head of department, he or they may remove clerks or assistants only upon filing in writing the reasons for any removal with the city clerk, which reasons shall not be questioned in any other place except that foremen, inspectors and laborers temporarily employed under the department of city works may be removed at any time at the pleasure of the head of such department.

No person employed on the police force or on the force for extinguishing fires shall be removed without cause, and then only after a public trial by the head of his department, and after having been found guilty of misconduct or neglect of duty, or having been adjudged incapable of performing his duty; the evidence on such trial shall be taken in full, and kept as a public record.

§ 8. Any officer who by the express terms of this act shall be deprived of his office shall be entitled to receive his salary in the same manner as if this act had not been passed up to the expiration of his present term of office, but if such officer shall accept any other office he shall receive no additional compensation unless the salary attached to such other office shall be larger than that of the office which he shall hold at the time of the passage of this act, in which case he shall receive the salary only which is affixed to such other office. The mayor may suspend any officer appointed under the provisions of this act, provided he shall forthwith serve in writing upon the person suspended the charges and specifications upon which such suspension has been made, and on a notice of not less than five nor more than ten days, served upon the mayor by the person so suspended. The special term of the Supreme Court shall forthwith hear the proofs and arguments on such charges and specifications, and determine thereon if such suspended officer should be removed, and the judgment of such special term that such officer be removed, affirmed by the general term of the Supreme Court, shall remove the person so suspended from office from the date of his suspension; but if the judgment of the special term, or of the general term of the Supreme Court, shall be against such removal, such suspension shall thereupon cease; provided that the mayor may appeal from a judgment of the special term favorable to the accused to the general term, and the general term may reverse the judgment of the special term, and find judgment of removal against the accused officer, if in its judgment justice so requires. The mayor may, if the interests of the city require it, make a temporary appointment during such suspension.

§ 9. All acts and parts of acts inconsistent with this act are hereby repealed.

§ 10. This act shall take effect immediately.

Mr. Russell moved the previous question.

Mr. Speaker put the question, "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 76 }
{ NOES 26 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|----------|-----------------|
| Alvord | Cullinan | Kennedy | Shuit |
| Andrews | Curtis | Lefever | Skinner |
| Baker, C. S. | Davis | Liddle | Slingerland |
| Beach | Deane | Lindsay | Steele |
| Beates | Douglass | Low | Terry |
| Bradley | Duell | McCabe | Titus |
| Brennan | Duguid | Miller | Tozier |
| Bridges | Evans | Mitchell | Travis |
| Brodsky | Ferris | Mooers | Tuttle, R. M. |
| Bullock | Fish | Morgan | Van Valkenburgh |
| Carpenter, E. A. | Fiske | Nowlan | Varnum |
| Carpenter, I. S. | Gillette | Peck | Warner |
| Case | Gorsline | Pitcher | Waterbury |
| Chamberlain | Gray | Potts | Wells, D. A. |
| Chase | Griggs | Roberts | Wells, J. L. |

| | | | |
|-----------|-----------|----------|-------------|
| Comstock | Grosse | Russell | Weston |
| Congdon | Howland | Sanders | Wren |
| Cookinham | Husted | Seeley | Youngs |
| Crapser | Ingersoll | Sheridan | Mr. Speaker |

Those who voted in the negative, were

| | | | |
|-----------------|-----------|----------|-----------|
| Benedict, E. D. | Dougherty | McTernan | Tallmadge |
| Benedict, T. E. | Ellis | Newman | Terpeny |
| Bennett | Gibbs | O'Connor | Thilemann |
| Clancy | Havens | Parker | Treanor |
| Cohen | Hoffman | Rhodes | Tully |
| Costello | McAvoy | Shanley | Walsh |
| Cushing | McCarthy | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

Mr. Travis offered for the consideration of the House a privileged resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor recalling for amendment Assembly bill No. 164, entitled "An act in relation to keeping open the offices of register, county clerk and treasurer of the county of Westchester."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The bill entitled "An act for the appointment of game and fish protectors," being announced for a third reading,

On motion of Mr. Weston, and by unanimous consent, said bill was amended in words following:

Section 1, lines 2 and 3, strike out the words "to be selected equally from the two principal political parties of this State and to reside in and."

Mr. Crapser moved to recommit said bill to the committee on ways and means, with instruction to strike out the enacting clause.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

After debate,

Mr. Weston moved the previous question.

Mr. Speaker put the question "Shall the main question now be put?" and it was determined in the affirmative.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 70 }
{ NOES 30 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|----------|---------------|
| Alvord | Costello | Liddle | Tallmadge |
| Andrews | Cushing | Low | Terry |
| Baker, C. S. | Davis | McDonald | Titus |
| Beach | Dougherty | McTernan | Tozier |
| Beates | Douglas | Miller | Treanor |
| Benedict, E. D. | Duell | Mitchell | Tully |
| Bradley | Duguid | Morgan | Tuttle, R. M. |

| | | | |
|------------------|------------|----------|-----------------|
| Brennan | Fiske | Newman | Van Valkenburgh |
| Brodsky | Fitzgerald | O'Brien | Varnum |
| Bullock | Gibbs | Potter | Walsh |
| Carpenter, E. A. | Gillette | Rhodes | Warner |
| Carpenter, I. S. | Gorsline | Roberts | Waterbury |
| Chase | Grosse | Sanders | Wells, D. A. |
| Chickering | Hagan | Seeley | Wells, J. L. |
| Clark | Hayes | Shanley | Weston |
| Clowes | Hurd | Sheridan | Youngs |
| Congdon | Husted | Skinner | Mr. Speaker |
| Cookinham | Ingersoll | | |

Those who voted in the negative, were

| | | | |
|-----------------|----------|----------|-------------|
| Benedict, T. E. | Cullinan | Howland | Potts |
| Bridges | Curtis | Lefever | Root |
| Case | Ellis | Lindsay | Russell |
| Chamberlain | Ferris | McAvoy | Shuit |
| Childs | Fish | Mooers | Sipp |
| Cohen | Griggs | Nowlan | Slingerland |
| Comstock | Havens | O'Connor | Steele |
| Crapser | Hoffman | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Van Valkenburgh offered for the consideration of the House a privileged resolution in words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor requesting the return of Assembly bill No. 326, general orders No. 352, entitled "An act to legalize the acts of George M. Warren, a justice of the peace of the town of Wheatfield, Niagara county," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Titus called from the table the report of the sub-committee of the whole in words following:

Report of the sub-committee of the whole.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 527, printed No. 472, entitled "An act to amend chapter 633 of the Laws of 1875, entitled 'An act to amend the charter of the city of Brooklyn, being the act for that purpose passed June 28, 1873, and the act for that purpose passed June 1, 1874,'" reported in favor of the passage of the same, with amendments as follows:

Section 4, line 3, insert before the words "said board" the words "section 4;" same line, after the word "constituted" insert "and its successors."

Line 4, strike out the word "board" and insert "body;" same line, after the first word "to" insert "and shall have and exercise exclusive power, in said city of Brooklyn, over the removal and burial of the dead, the maintenance and operating of an ambulance service for the speedy removal of sick and injured persons."

Section 3, line 3, insert before the words "said board" the words "section five."

Section 4, line 3, before the word "the" insert "section seven."

Line 5, after the word "health" insert "the removal and burial of the dead, the maintenance of an ambulance service."

Line 6, after the word "Brooklyn" insert "or."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 801, printed No. 680, entitled "An act to repeal an act entitled 'An act to create a metropolitan sanitary district and a board of health therein for the preservation of life and health and to prevent the spread of disease,' passed February 26, 1866, so far as it relates to the town of Newtown, Queens county, and to provide for the appointment of a board of health in said town, and defining its powers and duties," reported in favor of the passage of the same, with amendment as follows:

Amend the title by striking out after the word "repeal" the words "an act" and insert "chapter 74 of the Laws of 1866."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 808, printed No. 685, entitled "An act to amend chapter 806 of the Laws of 1868, entitled 'An act to incorporate the Fire Proof Warehousing Company,'" passed May 9, 1868, reported in favor of the passage of the same, with amendments as follows:

Section 1, line 61, strike out the word "conceived" and insert "exercised."

Also amend the title by striking out the words "passed May 9th, 1868."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 832, printed No. 704, entitled "An act to incorporate the 'Empire Yacht Club' of the city of New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 445, printed No. 407, entitled "An act to amend section 1323 of the Code of Civil Procedure," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 701, printed No. 609, entitled "An act to prevent the sale of any adulterated article as cider vinegar," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill Int. 1113, G. O. 926, not printed, entitled "An act to further amend chapter 143 of the Laws of 1861, relating to the charter of the city of Rochester," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 248, printed No. 231, entitled "An act to amend chapter 83 of the Laws of 1879, entitled 'An act to dissolve the corporation known as the trustees of the town of Westchester, to abolish the office of trustee of said town, and to preserve the records of said town,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 607, printed No. 535, entitled "An act releasing all the right, title and interest of the people of the State of New York to and in certain lands in the city of Brooklyn, eastern district, formerly town of Bushwick, county of Kings, formerly lying in the East river," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 963, printed No. 780, entitled "An act providing for the holding of the annual town meeting of the town of Esopus at three polls," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. , printed No. 349, entitled "An act to incorporate 'The Rochester Electro-Medical Institute,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. , printed No. 317, entitled "An act for the protection of sureties on the bonds of contractors with municipal corporations," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. , printed No. 385, entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 765, printed No. 177, entitled "An act concerning the grounds, buildings and property of the State provided for normal schools, the custody, protection and preservation of the same, and the powers of local boards in relation thereto," reported in favor of the passage of the same, without amendment.

Mr. Husted moved to extend the time of this session for fifteen minutes.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Bridges, from the committee on public printing, to which was referred the resolution to print extra copies of the Report of the Superintendent of Insurance, reported in favor of the adoption of the following resolution:

Resolved (if the Senate concur), That there be printed 3,500 copies of the Annual Report of the Superintendent of the Insurance Department for the year ending December 31, 1879, bound in cloth, as follows: 2,000 copies of the Fire and Marine Reports, and 1,500 copies of the Life Report, bound separately; also, 10 copies of the full report for each member, and 1 copy to each officer and reporter of this Legislature; the whole expense thereof to be paid by the Comptroller, upon the certificate of the Superintendent of the Insurance Department, from the surplus fund arising from the excess of moneys paid into the treasury of this State by the Superintendent of the Insurance Department, over and above the amounts disbursed on account of said department; the price for said work not to exceed 10 cents per page per 100 copies.

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.

{ AYES 79 }
{ NOES 1 }

Those who voted in the affirmative, were

Baker, C. S.
Beach

Douglas
Duell

McCarthy
McTernan

Sisson
Skinner

| | | | |
|------------------|------------|----------|-----------------|
| Beates | Fish | Miller | Slingerland |
| Bradley | Fiske | Moorea | Steele |
| Brennan | Fitzgerald | Morgan | Tallmadge |
| Bridges | Gillette | Newman | Terry |
| Brodsky | Goralline | Nowlan | Thilemann |
| Bullock | Gray | O'Brien | Tozier |
| Carpenter, E. A. | Hagan | Peck | Travis |
| Carpenter, I. S. | Havens | Phillips | Treaner |
| Chase | Hayes | Potts | Tuttle, R. M. |
| Chickering | Hoffman | Rhodes | Van Valkenburgh |
| Clark | Hurd | Root | Varnum |
| Clowes | Husted | Russell | Warner |
| Comstock | Ingersoll | Seeley | Waterbury |
| Congdon | Kennedy | Shanley | Wells, D. A. |
| Costello | Lefever | Sheridan | Wells, J. L. |
| Cullinan | Liddle | Sherman | Weston |
| Davis | Low | Shuit | Wren |
| Deane | McAvoy | Sipp | |

Those who voted in the negative, were

Benedict, E. D.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Howland offered for the consideration of the House a resolution in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of Senate bill, not printed, introductory No. 255, general orders No. 985, entitled "An act authorizing the board of trustees of the village of Danforth to issue bonds for the purpose of building a school-house in said village, pursuant to a vote of its citizens at a special election held April 10, 1880," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

A message from the Senate was received and read, informing of concurrence in the passage of the following resolutions:

Asking the return from the Governor of Assembly bill No. 519, entitled "An act to amend chapter 360 of the Laws of 1867, entitled 'An act to amend and consolidate the several acts in relation to the village of Rhinebeck,'" for amendment.

Also, asking the return from the Governor of Assembly bill No. 506, entitled "An act to legalize and confirm the official acts of William J. Robb, a justice of the peace of the town of Perth, in the county of Fulton."

Also, asking the return from the Governor of Assembly bill No. 210, entitled "An act to amend an act entitled 'An act to confer on boards of supervisors further powers of local legislation and administration.'"

Also, asking the return from the Governor of Assembly bill No. 227, entitled "An act to further amend section 2 of chapter 39 of the Laws of 1870, as amended by chapter 402 of the Laws of 1877, entitled 'An act to annex parts of the towns of Bethlehem and Watervliet, in the county of Albany, to the city of Albany, and to exempt such parts

thereof from certain taxes, and to annex a part of the city of Albany to the town of Watervliet.”

Ordered, That the Clerk deliver said resolutions to the Governor.

Mr. Bridges, from the committee on public printing, to which was referred the resolution to print copies of the compilation of the local and special laws relating to the city of New York, reported in favor of the adoption of the following resolution:

Resolved, That there be printed and bound, in law binding, under the direction of the commission which prepared the same, 300 copies of the compilation of local and special laws relating to the city of New York, in two volumes, the same to be distributed by the commissioners to the heads of departments, judges of the courts, and others in said city; the price of the same to be \$2.50 per volume, bound complete.

Mr. Alvord moved to amend said resolution by adding at end thereof: “Provided that an appropriation be made by the board of estimate and apportionment in the city of New York for the payment of the same.”

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 36 }
{ NOES 39 }

Those who voted in the affirmative, were

| | | | |
|-------------|-----------|----------|-----------|
| Alvord | Curtis | Miller | Sheridan |
| Bridges | Fish | Morgan | Shuit |
| Case | Gorsline | Newman | Sipp |
| Chamberlain | Gray | O'Brien | Terry |
| Childs | Havens | Phillips | Titus |
| Clark | Hoffman | Rhodes | Tozier |
| Clowes | Hurd | Russell | Travis |
| Congdon | Ingersoll | Seeley | Warner |
| Crapsier | Low | Shanley | Waterbury |

Those who voted in the negative, were

| | | | |
|------------------|------------|----------|--------------|
| Brodaky | Dougherty | Husted | Sherman |
| Carpenter, E. A. | Duell | Kennedy | Skinner |
| Chickering | Duguid | Liddle | Tallmadge |
| Olancy | Ellis | McAvoy | Thilemann |
| Cohen | Fiske | McCarthy | Treanor |
| Costello | Fitzgerald | McDonald | Varnum |
| Cullinan | Gibbs | O'Connor | Walsh |
| Cushing | Grosse | Parker | Wells, J. L. |
| Davis | Hagan | Peck | Weston |
| Deane | Hayes | Roberts | |

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the negative.

{ AYES 46 }
{ NOES 17 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------|
| Brodaky | Duguid | Liddle | Sheridan |
| Carpenter, E. A. | Ellis | McAvoy | Sherman |
| Carpenter, I. S. | Fiske | McCarthy | Skinner |
| Chickering | Fitzgerald | Mitchell | Tallmadge |
| Clark | Gibbs | Mooers | Thilemann |
| Clowes | Grosse | Newman | Titus |

| | | | |
|-----------|-----------|----------|--------------|
| Cohen | Hagan | O'Connor | Treanor |
| Cullinan | Hayes | Parker | Varnum |
| Davis | Hoffman | Root | Walsh |
| Deane | Husted | Russell | Wells, J. L. |
| Dougherty | Ingersoll | Shanley | Weston |
| Duell | Kennedy | | |

Those who voted in the negative, were

| | | | |
|-----------------|--------|----------|-----------|
| Alvord | Childs | Morgan | Sipp |
| Andrews | Curtis | Phillips | Tozier |
| Beach | Fish | Rhodes | Travis |
| Benedict, E. D. | Miller | Shuit | Waterbury |
| Bridges | | | |

Mr. Brodsky moved to reconsider the vote by which said resolution was lost, and that the motion do lay upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Alvord, and at two o'clock and thirty minutes, the House took a recess until half-past four P. M.

HALF-PAST FOUR O'CLOCK, P. M.

The House again met.

The Senate sent for concurrence the following resolutions:

Resolved, That a respectful message be sent to the Assembly, requesting the return of Senate bill No. 317, entitled "An act for the protection of sureties in the bonds of contractors with municipal corporations."

Mr. Speaker put the question whether the House would agree to return said bill, and it was determined in the affirmative.

Ordered, That the Clerk return said bill to the Senate.

Also,

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, recalling Senate bill No. 109, entitled "An act authorizing the construction of a bridge over the Erie canal at Kent street in the village of Palmyra," for amendment.

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein.

The Senate returned the resolution recalling from the Governor Assembly bill No. 121, entitled "An act to revive the Gypsum Cemetery Association in Ontario county," with a message that they had concurred in the passage of the same."

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate sent for concurrence the bills entitled as follows:

"An act to suppress intemperance and to regulate the sale of liquors, wines, ale and beer in the cities of the State of New York in which the population by the last State census exceeded 400,000."

Mr. Varnum moved that said bill be referred to the New York and Kings county members, with power to report complete at any time.

Mr. Alvord moved to amend that said bill be referred to the committee on internal affairs.

Mr. Speaker put the question whether the House would agree to the motion of Mr. Alvord, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Varnum, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

{ AYES 72 }
{ NOES 43 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Baker, B. F. | Evans | Mead | Strait |
| Benedict, E. D. | Ferris | Mitchell | Tallmadge |
| Benedict, T. E. | Fiske | Mooers | Thilemann |
| Bennett | Fitzgerald | Morgan | Titus |
| Brodsky | Gibbs | Newman | Treanor |
| Carpenter, E. A. | Gillette | O'Brien | Tully |
| Carpenter, I. S. | Gray | O'Connor | Tuthill, H. H. |
| Chase | Griggs | Parker | Tuttle, R. M. |
| Clancy | Grosse | Pitcher | Van Valkenburgh |
| Clowes | Hagan | Potter | Varnum |
| Cohen | Havens | Potts | Walsh |
| Comstock | Hayes | Roberts | Waterbury |
| Costello | Hoffman | Russell | Wells, J. L. |
| Cullinan | Lindsay | Sanders | Weston |
| Cushing | McAvoy | Shanley | Wiley |
| Deane | McCarthy | Sheridan | Wren |
| Dougherty | McDonald | Shuit | Youngs |
| Duell | McTernan | Sipp | Mr. Speaker |

Those who voted in the negative, were

| | | | |
|-------------|-----------|-----------|--------------|
| Alvord | Congdon | Ingersoll | Root |
| Andrews | Cookinham | Kennedy | Sherman |
| Beach | Crapser | Lefever | Sisson |
| Beates | Curtis | Liddle | Skinner |
| Bradley | Davis | Low | Steele |
| Bullock | Douglass | McCabe | Terry |
| Case | Duguid | Miller | Tozier |
| Chamberlain | Fish | Nowlan | Travis |
| Chickering | Gorsline | Peck | Warner |
| Childs | Howland | Phillips | Wells, D. A. |
| Clark | Hurd | Rhodes | |

Mr. Varnum then moved that said bill be referred to the New York and Kings county members, to report at any time.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

"An act to restrict and regulate the right of the Brooklyn Elevated Railway Company to lay their rails easterly of Schenck avenue and to and through Woodhaven in the town of Jamaica, county of Queens," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Shanley said bill was ordered to a third reading.

"An act to amend chapter 163 of the Laws of 1870, entitled 'An act to amend the act entitled 'An act to authorize the business of banking, passed April 18, 1838,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to amend chapter 312 of the Laws of 1859, entitled 'An act to equalize the State tax among the several counties in this State,'"

which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

"An act repealing section 3 of chapter 135 of the Laws of 1876, entitled 'An act to authorize plank road and turnpike companies, formed under and by virtue of an act entitled 'An act to provide for the incorporation of companies to construct plank roads and of companies to construct turnpike roads,' passed May 7, 1847, to extend their charter or corporate existence,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to secure the payment of mechanics, laborers and workmen who perform work, also persons furnishing materials toward the erection, altering or repairing buildings, wharves, vaults, or any other structure in the cities of the State of New York," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. McDonald said bill was substituted for Assembly bill No. 645, now on order of third reading.

"An act in relation to unpaid taxes and assessments in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Tallmadge, and by unanimous consent, said bill was ordered to a third reading, and referred to the Kings county delegation, retaining its place on order of third reading.

The Senate sent for concurrence the following resolution:

Whereas, The Congress of the United States has provided by law for celebrating the Hundredth Anniversary of the Treaty of Peace and the Recognition of American Independence, by holding an International Exhibition of arts, manufactures, and the products of the soil and mine, in the city of New York, in the State of New York, in the year 1883, subject always to the supervision and under the auspices of the Government of the United States; and,

Whereas, The great commercial metropolis of this State has been recognized as the appropriate place for such celebration and exhibition; and,

Whereas, Such celebration and exhibition will redound no less to the honor and glory than to the advantage and growth of this State; therefore, be it

Resolved (if the Assembly concur), We do hereby approve of the International Exhibition, to be held in the city of New York, in the year 1883, as above recited, and declare that such legislative action should be taken as may be necessary to insure its success, and to carry into effect the purposes of the said act of Congress.

On motion of Mr. Alvord, and by unanimous consent, said resolutions were adopted.

Ordered, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein.

Mr. Bridges, from the committee on public printing, to which was referred the resolution to print extra copies of the Report on the State Museum of Natural History by the Regents of the University, reported in favor of the adoption of the following resolution:

Resolved (if the Senate concur), That 1,500 copies of the Thirty-second Annual Report of the State Museum of Natural History, by

the Regents of the University, with the accompanying papers, be printed and bound for the use of the said Regents, and 300 copies, in like manner, for the use of the Director; all to be paid for according to the prices stipulated in the contract for extra copies.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

{ AYES 73 }
{ NOES 9 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Douglass | Liddle | Seeley |
| Andrews | Duell | Lindsay | Shanley |
| Beach | Duguid | Low | Sherman |
| Beates | Evans | McAvoy | Shuit |
| Brodsky | Ferris | McCabe | Sipp |
| Bullock | Fish | McCarthy | Sisson |
| Carpenter, I. S. | Fiske | McDonald | Slingerland |
| Case | Fitzgerald | Miller | Strait |
| Clanoy | Gibbs | Mitchell | Tallmadge |
| Clark | Griggs | Mooers | Terry |
| Clowes | Grosse | Newman | Titus |
| Comstock | Hayes | Nowlan | Travis |
| Congdon | Hoffman | Phillips | Treanor |
| Costello | Howland | Potter | Tuthill, H. H. |
| Cullinan | Husted | Potts | Van Valkenburgh |
| Cushing | Ingersoll | Rhodes | Warner |
| Davis | Kennedy | Roberts | Wells, J. L. |
| Deane | Lefever | Root | Youngs |
| Dougherty | | | |

Those who voted in the negative, were

| | | | |
|-----------------|------------|----------|--------|
| Benedict, E. D. | Chickering | Crapsier | Havens |
| Benedict, T. E. | Cookinham | Ellis | Tozier |
| Bennett | | | |

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Lefever offered for the consideration of the House a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, recalling Assembly bill No. 374, general orders No. 408, entitled "An act to vest certain powers in the Kingston board of education, and to facilitate the collection of taxes in the Kingston school district," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing of their concurrence therein.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, under a resolution of the House, presented by Mr. C. S. Baker, reported the following bill:

"An act to establish a State court of claims and to define its powers and duties, and abolishing the board of audit and the office of canal appraiser," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Sheridan (introductory No. 1169), entitled "An act for the relief of Patrick Duff, administrator of the estate of Francis H. Duff," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Sheridan, and by unanimous consent, said bill was referred to the sub-committee of the whole.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 284), entitled "Concurrent Resolution proposing an amendment to article 6 of the Constitution," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Tozier, from the committee on general laws, to which was referred the Senate bill (introductory No. 549), entitled "An act to amend article first of title 4 of chapter 6 of part 1 of the Revised Statutes, entitled 'Of the formation of the board of inspectors and the appointment of clerks,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Cookinham (introductory No. 952), entitled "An act to provide a public market in the city of Utica," reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Varnum (introductory No. 1151), entitled "An act to amend chapter 508 of the Laws of 1879, entitled 'An act to provide for the construction and maintenance of an additional public bath in the city of New York,' passed April 16, 1879," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Russell offered for the consideration of the House a resolution in the words following :

Resolved, That Senate bill No. 298, general orders No. 351, entitled "An act to provide for a further appropriation of moneys for the maintenance of the public parks of the city of Brooklyn," be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Wren (introductory No. 444), entitled "An act to authorize the establishment of a children's park in the eastern district of the city of Brooklyn," reported said bill for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Brennan (introductory No.), entitled "An act to authorize the payment of certain awards for damages caused by a change of grade on Prospect avenue in the city of Brooklyn," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent said bill was substituted for Senate bill No. 408, and said bill was ordered to a third reading.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Sharpe (introductory No. 1156), entitled "An act to authorize the reading in all courts and proceedings of a compilation entitled 'The Special and Local Laws affecting Public Interest in the city of New York,' and declaring the effect thereof," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Newman (introductory No.), entitled "An act to provide for the payment of certain awards for the widening of Prospect avenue in the city of Brooklyn," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 297), entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of increasing the water supply to its inhabitants," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 298), entitled "An act to provide for perfecting and enlarging the system of sewerage of the city of Buffalo, and to ascertain the cost of such main or trunk sewers as are now needed, and the proper and equitable method of raising moneys to pay for their construction," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 189), entitled "An act to provide for a further appropriation of money for the maintenance of the public parks of the city of Brooklyn," reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 243), entitled "An act to amend chapter 836 of the Laws of 1872, entitled 'An act to regulate places of public amusement in the city of New York,'" reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was

referred the Senate bill (introductory No. 177), entitled "An act to alter the map or plan of the city of New York by widening a portion of 130th street," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 299), entitled "An act to prohibit the construction of buildings, of wood or other combustible materials, in a certain portion of the city of New York," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 246), entitled "An act to provide for the more economical opening of streets, avenues and roads in the city of New York," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Brodsky (introductory No. 1029), entitled "An act to establish a police pension fund for disabled and retired members and the widows and children of deceased members of the police department of the city of New York," reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole, retaining its place on order of third reading.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 239), entitled "An act for the relief of the Third Avenue Railroad Company, and to authorize the comptroller of the city of New York to pay the amount which may be found justly due to that company for services performed and material furnished in repairing certain streets in said city," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Travis, and by unanimous consent, said bill was referred to the sub-committee of the whole.

By unanimous consent,

Mr. Weston, from the committee on roads and bridges, to which was referred the Senate bill (introductory No. 265), entitled "An act to amend section 1 of chapter 476, entitled 'An act to amend chapter 210 of the Laws of 1847, entitled 'An act to provide for the incorporation of companies and to construct plankroads, and of companies to construct turnpike roads,' passed May 7, 1847," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Weston, from the committee on roads and bridges, to which was referred the Senate bill (introductory No. 301), entitled "An act to amend chapter 818 of the Laws of 1866, entitled 'An act to create a separate road district in the town of Middletown, Richmond county,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Slingerland introduced a bill entitled "An act to amend chap-

ter 138 of the Laws of 1880, entitled 'An act making an appropriation to continue the work on the new Capitol building,' which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Slingerland, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Hayes introduced a bill entitled "An act to amend an act entitled 'An act relative to purchasers of the franchises and property of corporations whose franchises and property shall have been sold by mortgage, passed May 9, 1873, and, also, amendatory of an act entitled 'An act to amend chapter 430 of the Laws of 1874, entitled 'An act to facilitate the reorganization of railroads sold under mortgage in such cases, passed June 2, 1876,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent,

Also, a bill entitled "An act to amend an act entitled 'An act to authorize the formation of railroad companies, and to regulate the same, passed April 2, 1850,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent,

Mr. Travis introduced a bill entitled "An act for the relief of Patrick Burns," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Francis, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Low introduced a bill entitled "An act to provide for appointment of a police justice in the village of Niagara Falls, N. Y.," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

By unanimous consent,

Mr. Tozier introduced a bill entitled "An act to incorporate the Knights of Maccabees of the World," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

By unanimous consent,

Mr. Cohen introduced a bill entitled "An act to amend chapter 194 of the Laws of 1874, entitled 'An act to prevent extortion by gas companies in the counties of New York and Kings,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

By unanimous consent,

Mr. McAvoy introduced a bill entitled "An act for the better laying out and improving of that portion of the city of New York between Tenth avenue and Avenue St. Nicholas and 138th street, continued, and the lands of the Academy of the Sacred Heart and 135th street, continued," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Shanley, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Cullinan introduced a bill entitled "An act to authorize the

postponement of the levy of a tax to pay bonds issued by the town of Volney, in the county of Oswego, to facilitate the construction of the New York and Oswego Midland Railroad," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent,

Mr. Liddle introduced a bill entitled "An act for the preservation of the public peace, the protection of private property, and the maintenance of law and good order in the First collection district of the town of Watervliet, in Albany county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A message from the Senate was received and read, informing of concurrence in the following bills:

"An act to authorize Keeseville union free school district No. 1, of the towns of Ausable and Chesterfield, to borrow money and issue bonds or certificates of indebtedness for the building and furnishing of a new school building, and the purchase of a site therefor."

"An act to legalize the official acts of Barclay Haviland, a justice of the peace in the town of Washington, in the county of Dutchess."

"An act to provide for repairing or rebuilding and enlarging the city hall in the city of Albany, for the use of said city and the use of the county of Albany, and to provide money for the payment therefor."

"An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors.'"

"An act to amend chapter 181 of the Laws of 1872, entitled 'An act for the better prevention of the procurement of abortions and other like offenses, and to amend the laws relative thereto.'"

"An act to declare Independence river, and its tributaries in Lewis and Herkimer counties, a public highway."

"An act authorizing the board of trustees of school district No. 3, of the town of New Lots, in the county of Kings, to issue bonds to the amount of \$10,000 to refund or pay a like amount of bonds issued by said board of trustees for the erection of a school-house in pursuance of chapter 191 of the Laws of 1870."

"An act in relation to the partition of lands held by husband and wife as joint tenants, tenants in common, or as tenants by entireties."

"An act to confirm and legalize the acts of the commissioner of highways of the town of Boonville, in building a bridge across Black river, near Crandall's mill, in 1879, and to confirm and legalize the acts of the town auditors of said town in auditing the bills for the expense thereof."

"An act for the preservation of lobsters."

"An act to amend an act entitled 'An act to prevent certain abuses upon the canals of this State.'"

"An act to amend section 236 of the Code of Civil Procedure."

"An act for the relief of the town of Somerset, to abolish the office of railroad commissioner of said town, and to enable it to adjust its indebtedness and issue bonds therefor."

"An act to release the interest of the people of this State in certain real estate of which Paul Pontaw, late of the city of Brooklyn, county of Kings, died seized, to Nannette Johnson."

"An act authorizing the commissioners of the several towns and cities of the counties of Cayuga, Tompkins, Cortland and Tioga to sell stock of Southern Central Railroad with which to pay the bonded indebtedness of such towns and cities."

"An act in relation to and reducing the number of justices of the peace, creating judicial districts, and providing for local interior courts in the city of Brooklyn."

Ordered, That the Clerk deliver said bills to the Governor.

By unanimous consent,

Mr. Sipp moved to discharge the committee of the whole from the further consideration of Assembly bill entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of increasing the water supply to its inhabitants," and that said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

By unanimous consent,

Mr. Youngs offered for the consideration of the House a resolution in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of Senate bill No. 261, general orders No. 979, entitled "An act to improve Jackson avenue, in Long Island City," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Potts offered for the consideration of the House a resolution in the words following:

Resolved, That Assembly bill No. 450, general orders No. 497, entitled "An act to prohibit persons engaged in the business of manufacturing and selling strong and spirituous liquors, wines, ales and beer from holding the office of coroner," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Potts offered for the consideration of the House a resolution in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of Assembly bill No. 664, general orders No. 778, entitled "An act to exempt the county of Sullivan from so much of the provisions of chapter 20 of part 1 of title 1 of the Revised Statutes as provides for the appointment of poor-house keepers," and that it be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the village of Moravia, in the county of Cayuga, and to repeal existing laws incorporating said village, passed March 15, 1859, passed March 28, 1867.'"

"An act to amend chapter 367 of the Laws of 1878, entitled 'An act to amend chapter 107 of the Laws of 1878, entitled 'An act requiring justices of the peace to give bonds.'"

"An act to enable subordinate councils of the Royal Arcanum, in the State of New York, to take, hold and convey real and personal estate, and to exercise other powers."

"An act to amend chapter 204 of the Laws of 1864, entitled 'An act to amend and consolidate the several acts relating to the village of Lansingburgh.'"

"An act to amend section 2 of title 11 of chapter 8 of part 3 of the Revised Statutes, entitled 'Of distraining cattle and other chattels doing damage, and of distraining in other cases.'"

"An act to incorporate the Friendship Association of the city of New York."

"An act to amend chapter 40 of the Laws of 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical, or chemical purposes.'"

By unanimous consent,

Mr. Travis offered for the consideration of the House a resolution in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of Senate bill No. 368, entitled "An act to amend title 1, chapter 17, part 1 of the Revised Statutes, entitled 'Of sales by auctioneers,'" and that it be sent to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Fiske offered for the consideration of the House a resolution in the words following:

Resolved, That Assembly bill No. 788, entitled "An act to amend chapter 681 of the Laws of 1873, entitled 'An act to establish communication between Richmond county and New Jersey, incorporating the Tubular Transit Company of Staten Island,'" be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Husted offered for the consideration of the House a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return of Assembly bill No. 195, entitled "An act to prevent trespassing and intrusion upon railroad cars and engines," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Comstock offered for the consideration of the House a resolution in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of Senate bill No. 220, general orders No. 267,

entitled "An act in relation to street railroads," and that it be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Husted moved to extend the time of this session one-half hour.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Rhodes called from the table the resolution previously offered by him in words following :

Resolved (if the Senate concur), That the Legislature adjourn *sine die* on May 14, at 12 m.

Mr. Husted moved to lay said resolution on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Youngs offered for the consideration of the House a resolution in the words following :

Resolved, That the committee of the whole be discharged from further consideration of Assembly bill No. 774, general orders No. 951, entitled "An act for the appointment of referees to sell real estate under all decrees when agreed upon by the attorneys who appear in such actions," and that it be sent to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Tozier offered for the consideration of the House a resolution in the words following :

Resolved, That Assembly bill, general orders No. 588, entitled "An act to promote agriculture and to facilitate the formation of agricultural and horticultural societies," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Cullinan offered for the consideration of the House a resolution in the words following :

Resolved, That Assembly bill No. 732, general orders No. 870, entitled "An act to amend chapter 78 of the Laws of 1870, entitled 'An act to amend an act entitled 'An act requiring compensation for causing death by wrongful act, neglect or default, passed December 13, 1847,' " be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Cookinham called from the table a resolution previously offered by him in words following :

Resolved (if the Senate concur), That this House will adjourn *sine die* on Friday, May 21, at 12 o'clock, noon.

Mr. Bradley moved to amend said resolution by striking out all after the word "Resolved," and insert in lieu thereof the following :

Resolved (if the Senate concur), This Legislature will take a recess from Thursday May 20, at 12 m., until Monday, November 1, at 8 p. m.

Mr. Husted moved that this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

And, at six o'clock and five minutes, the House adjourned.

THURSDAY MORNING, MAY 13, 1880.

The House met pursuant to adjournment.

No clergyman being present,

The journal of yesterday was read and approved.

Privileges of the floor were granted to Hon. D. R. Shiel, a former member of this House.

By unanimous consent,

Mr. J. L. Wells offered for the consideration of the House a resolution in the words following :

Resolved, That the committee of the whole be discharged from the further consideration of Senate bill No. 401, entitled "An act for the relief of the Five Points House of Industry in the city of New York," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. O'Brien offered for the consideration of the House a resolution in the words following :

Resolved, That Assembly bill No. 735, entitled "An act to amend chapter 519 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo,' be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Peck introduced a bill entitled "An act to legalize the action of the town meeting of the town of DeKalb in St. Lawrence county, N. Y., held February 10, 1880 ; and the action of the board of town auditors of said town of DeKalb, had February 19, 1880, in issuing a certificate of indebtedness of said town to Andrew Wight and Agnes Wight for damages sustained by the falling of a bridge in said town, pursuant to a resolution passed at said town meeting," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Peck, and by unanimous consent, said bill was ordered to a third reading.

On motion of Mr. Shuit, and by unanimous consent, the committee of the whole was discharged from the further consideration of the following Senate bills, and the same were ordered to a third reading :

"An act to provide for the removal of eel weirs and other devices for taking fish from the Wallkill river, and to prevent the maintenance of such devices."

"An act to amend chapter 46 of the Laws of 1872, entitled 'An act to amend an act entitled 'An act to amend and consolidate the charter of the village of Middletown,' passed March 31, 1866.'"

By unanimous consent,

Mr. Hayes offered for the consideration of the House a resolution in the words following :

Resolved, That the committee of the whole be discharged from the further consideration of Assembly bill No. 769, entitled "An act providing for the appointment of an additional number of commission-

ers of deeds in the city of New York," and that the same be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Also,

Resolved, That the committee of the whole be discharged from the further consideration of Assembly bill No. 594, entitled "An act to provide for the rebuilding of the market known as Jefferson Market, in the city of New York," and that the same be ordered to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Weston moved that all order of business be laid on the table down to order of business introduction of resolutions.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

A message was received from the Governor in words following :

STATE OF NEW YORK, EXECUTIVE CHAMBER, {
ALBANY, May 12, 1880. }

To the Assembly :

Pursuant to a joint resolution of the Senate and Assembly, bill No. 121, entitled "An act to revive the Gypsum Cemetery Association in Ontario county," is herewith returned for amendment.

ALONZO B. CORNELL

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|----------------|
| Alvord | Congdon | Ingersoll | Sanders |
| Andrews | Cookinham | Kennedy | Shanley |
| Baker, B. F. | Crapser | Lefever | Sheridan |
| Baker, C. S. | Oullinan | Liddle | Sherman |
| Beach | Curtis | Lindsay | Shuit |
| Beates | Oushing | Low | Sipp |
| Benedict, E. D. | Davis | Mead | Sisson |
| Bennett | Deane | Miller | Skinner |
| Bradley | Douglass | Mitchell | Slingerland |
| Brennan | Duell | Mooers | Steele |
| Brodsky | Duguid | Morgan | Strait |
| Bullock | Evans | Newman | Tallmadge |
| Carpenter, E. A. | Ferris | Nowlan | Tozier |
| Carpenter, I. S. | Fish | O'Brien | Travis |
| Case | Fiske | Parker | Treanor |
| Chamberlain | Goralline | Peck | Tully |
| Chase | Gray | Phillips | Tuthill, H. H. |
| Chickering | Griggs | Pitcher | Warne |
| Childs | Grosse | Potts | Waterbury |
| Clanoy | Hayes | Rhodes | Wells, J. L. |
| Clark | Hoffman | Roberts | Weston |
| Cohen | Hurd | Root | Wren |
| Comstock | Husted | Russell | Youngs |

On motion of Mr. Case, and by unanimous consent, said bill was amended in words following:

Strike out all after the word "the" in section 1, line 5, and insert in lieu thereof "right, title and interest to and in any lands for cemetery purposes which the said association would have possessed if it had not forfeited its right as a cemetery association."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 96 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Cookinham | Lefever | Seeley |
| Andrews | Costello | Liddle | Shanley |
| Baker, B. F. | Crapser | Lindsay | Sherman |
| Baker, O. S. | Oullinan | Low | Shuit |
| Beach | Curtis | McAvoy | Sipp |
| Beates | Davis | McDonald | Sisson |
| Benedict, E. D. | Douglass | McTernan | Skinner |
| Benedict, T. E. | Duell | Mead | Slingerland |
| Bennett | Duguid | Miller | Steele |
| Bradley | Evans | Mitchell | Strait |
| Brennan | Ferris | Mooers | Tallmadge |
| Brodsky | Fish | Morgan | Tosier |
| Carpenter, E. A. | Gorsline | Newman | Travis |
| Carpenter, I. S. | Gray | Nowlan | Treanor |
| Case | Griggs | O'Brien | Tully |
| Chamberlain | Grosse | Peck | Tuthill, H. H. |
| Chase | Havens | Phillips | Tuttle, R. M. |
| Chickering | Hayes | Pitcher | Warner |
| Childs | Hoffman | Potts | Waterbury |
| Clark | Howland | Rhodes | Wells, D. A. |
| Clowes | Hurd | Roberts | Wells, J. L. |
| Cohen | Husted | Root | Weston |
| Comstock | Ingersoll | Russell | Wren |
| Congdon | Kennedy | Sanders | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

Mr. Phillips offered for the consideration of the House a privileged resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor requesting the return of Assembly bill No. 496, general orders No. 563, entitled "An act to incorporate Alert Hose Company No. 3 of Medina, N. Y.," for amendment.

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate sent for concurrence the following bills:

"An act to enable the First Baptist Church of Auburn to convey certain real estate," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Tuttle, and by unanimous consent, said bill was ordered to a third reading.

"An act to incorporate the Saint Joseph's Cemetery in the city of Auburn," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. C. S. Baker, and by unanimous consent, said bill was ordered to a third reading.

"An act to revise and amend title 11 of chapter 291 of the Laws of 1867, entitled 'An act to incorporate the city of Binghamton,' and the several acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to incorporate 'The Cathedral Chapter and Corporators of the Diocese of Western New York,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Alvord, and by unanimous consent, said bill was ordered to a third reading.

"An act in relation to cleaning the streets of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to regulate the dimensions and measurement of apple barrels," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

A message was received from the Governor in the words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }
ALBANY, May 12, 1880. }

To the Assembly:

In accordance with a joint resolution of the Senate and Assembly, herewith is returned Assembly bill entitled "An act to amend an act entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" for amendment.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 97 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|-----------|-------------|
| Alvord | Congdon | Husted | Shanley |
| Andrews | Cookinham | Ingersoll | Sherman |
| Baker, B. F. | Costello | Kennedy | Shuit |
| Baker, O. S. | Crapser | Lefever | Sipp |
| Beach | Cullinan | Liddle | Sisson |
| Beates | Curtis | Lindsay | Skinner |
| Benedict, E. D. | Davis | Low | Slingerland |
| Benedict, T. E. | Deane | Mead | Steele |
| Bennett | Douglass | Miller | Strait |
| Bradley | Duell | Mitchell | Tallmadge |
| Brennan | Duguid | Mooers | Terry |
| Bridges | Evans | Morgan | Titus |
| Brodsky | Ferris | Newman | Tozier |
| Bullock | Fish | Nowlan | Travis |

| | | | |
|------------------|------------|----------|----------------|
| Carpenter, E. A. | Fiske | O'Brien | Treanor |
| Carpenter, I. S. | Fitzgerald | Peck | Tuthill, H. H. |
| Case | Gorsline | Phillips | Tuttle, R. M. |
| Chamberlain | Gray | Pitcher | Warner |
| Chase | Griggs | Potts | Waterbury |
| Chickering | Grosse | Rhodes | Wells, D. A. |
| Childs | Hayes | Roberts | Wells, J. L. |
| Clancy | Hoffman | Root | Weston |
| Clark | Howland | Russell | Wren |
| Clowes | Hurd | Sanders | Youngs |
| Comstock | | | |

On motion of Mr. Fiske, and by unanimous consent, said bill was amended in words following :

Engrossed bill, line 31, page 2, after the word "inquest" insert the following: "or in case where no medical certificate can be obtained, and no coroner's inquest has been held or required by law, such permit may be granted upon affidavit, duly verified by some person or persons known to the office granting such permit, stating the circumstances, time and cause of death, as nearly as the same can be ascertained;" same line, after the word "clerk," insert "or a justice of the peace or police justice."

Also, add the following as subdivisions 34 and 35:

"34. To establish a fire district in any unincorporated village in this State, and to authorize such district to procure a supply of water and to purchase apparatus for the extinguishment of fires therein, upon the application of thirty residents and freeholders of the proposed district; and to provide for the assessment, levy and collection of the cost thereof upon such district, in the same manner, at the same time, and by the same officers as the taxes of the town, in which such village is located, are assessed, levied and collected."

"35. To provide for and use all necessary means for the prevention of, and to prevent the spread of all infectious and contagious diseases, and for the payment of all expenses necessarily incurred therefor."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 97 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|------------|----------|-------------|
| Alvord | Cullinan | Lefever | Shuit |
| Andrews | Curtis | Liddle | Sipp |
| Baker, B. F. | Davis | Lindsay | Sisson |
| Baker, C. S. | Deane | Low | Skinner |
| Beach | Douglass | McDonald | Slingerland |
| Beates | Duell | Mead | Steele |
| Benedict, E. D. | Duguid | Miller | Strait |
| Benedict, T. E. | Ellis | Mitchell | Tallmadge |
| Bennett | Evans | Moore | Terry |
| Bradley | Ferris | Morgan | Titus |
| Brennan | Fish | Newman | Tozier |
| Bridges | Fiske | Nowlan | Travis |
| Brodsky | Fitzgerald | O'Brien | Treanor |
| Bullock | Gorsline | Peck | Tully |

| | | | |
|------------------|-----------|----------|----------------|
| Carpenter, E. A. | Gray | Phillips | Tuthill, H. H. |
| Carpenter, I. S. | Griggs | Pitcher | Tuttle, R. M. |
| Case | Havens | Potts | Varnum |
| Chase | Hayes | Rhodes | Warner |
| Chickering | Hoffman | Roberts | Waterbury |
| Clowes | Howland | Root | Wells, D. A. |
| Comstock | Hurd | Russell | Wells, J. L. |
| Congdon | Husted | Sanders | Weston |
| Cookinham | Ingersoll | Seeley | Wren |
| Costello | Kennedy | Sherman | Youngs |
| Crapser | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A message was received from the Governor in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }
ALBANY, May 12, 1880. }

To the Assembly:

In accordance with a joint resolution of the Senate and Assembly, herewith is returned Assembly bill entitled "An act to further amend section 2 of chapter 139 of the Laws of 1870, as amended by chapter 402 of the Laws of 1877, entitled 'An act to annex parts of the towns of Bethlehem and Watervliet, in the county of Albany, to the city of Albany, and to exempt such parts thereof from certain taxes, and to annex a part of the city of Albany to the town of Watervliet,'" for amendment.

ALONZO B. CORNELL

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 96 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|----------------|
| Alvord | Comstock | Husted | Shuit |
| Andrews | Congdon | Ingersoll | Sipp |
| Baker, B. F. | Cookinham | Kennedy | Sisson |
| Baker, C. S. | Costello | Lefever | Skinner |
| Beach | Crapser | Liddle | Slingerland |
| Beates | Cullinan | Lindsay | Steele |
| Benedict, E. D. | Curtis | Low | Strait |
| Benedict, T. E. | Davis | Miller | Tallmadge |
| Bennett | Deane | Mitchell | Terry |
| Bradley | Douglass | Moers | Titus |
| Brennan | Duell | Morgan | Tozier |
| Bridges | Duguid | Newman | Travis |
| Brodsky | Evans | Nowlan | Treanor |
| Bullock | Ferris | O'Brien | Tully |
| Carpenter, E. A. | Fish | Peck | Tuthill, H. H. |
| Carpenter, I. S. | Fiske | Phillips | Tuttle, R. M. |
| Case | Goraline | Pitcher | Varnum |
| Chamberlain | Gray | Potts | Warner |
| Chase | Griggs | Rhodes | Waterbury |
| Chickering | Grosse | Roberts | Wells, D. A. |
| Childs | Hayes | Root | Wells, J. L. |

| | | | |
|--------|---------|---------|--------|
| Clancy | Hoffman | Russell | Weston |
| Clark | Howland | Sanders | Wren |
| Cohen | Hurd | Shanley | Youngs |

On motion of Mr. Slingerland, and by unanimous consent, said bill was amended in words following:

Section 1. Strike out from and after the word "adjoining," in the 23d line, down to and including the word "Albany" on line 25, being the following words:

"And after said period of fifteen years the taxes levied on such farming lands shall be one per centum less than the taxes levied on the other real and personal estate in the city of Albany."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 96 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|----------------|
| Alvord | Cookinham | Hurd | Shanley |
| Andrews | Costello | Husted | Sherman |
| Baker, B. F. | Crapeer | Ingersoll | Shuit |
| Baker, C. S. | Cullinan | Kennedy | Sipp |
| Beach | Curtis | Lefever | Sisson |
| Beates | Cushing | Liddle | Skinner |
| Benedict, E. D. | Davis | Low | Slingerland |
| Benedict, T. E. | Deane | Mead | Steele |
| Bennett | Douglass | Miller | Strait |
| Bradley | Duell | Mitchell | Tallmadge |
| Brennan | Duguid | Mooers | Terry |
| Bridges | Evans | Morgan | Titus |
| Brodsky | Ferris | Newman | Tozier |
| Bullock | Fish | Nowlan | Travis |
| Carpenter, E. A. | Fiske | O'Brien | Treanor |
| Carpenter, I. S. | Fitzgerald | Peck | Tuthill, H. H. |
| Case | Gibbs | Phillips | Tuttle, R. M. |
| Chamberlain | Gorsline | Pitcher | Varnum |
| Chase | Gray | Potts | Waterbury |
| Chickering | Griggs | Rhodes | Wells, D. A. |
| Clark | Grosse | Roberts | Wells, J. L. |
| Cohen | Hayes | Root | Weston |
| Comstock | Hoffman | Russell | Wren |
| Congdon | Howland | Sanders | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A message was received from the Governor, in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }
ALBANY, May 12, 1880.

To the Assembly:

In accordance with a joint resolution of the Senate and Assembly, herewith is returned Assembly bill entitled "An act to amend chapter 360 of the Laws of 1867, entitled 'An act to amend and consolidate the several acts in relation to the village of Rhinebeck,'" for amendment.

ALONZO B. CORNELL

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 101 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Crapser | Kennedy | Sherman |
| Andrews | Cullinan | Lefever | Shuit |
| Baker, B. F. | Ourtis | Liddle | Sipp |
| Baker, C. S. | Cushing | Lindsay | Sisson |
| Beach | Davis | Low | Skinner |
| Beates | Deane | McDonald | Slingerland |
| Benedict, E. D. | Douglass | Mead | Steele |
| Benedict, T. E. | Duell | Miller | Strait |
| Bennett | Duguid | Mitchell | Tallmadge |
| Bradley | Ellis | Moore | Terry |
| Brennan | Evans | Morgan | Titus |
| Bridges | Ferris | Newman | Tozier |
| Brodsky | Fish | Nowlan | Travis |
| Bullock | Fiske | O'Brien | Treanor |
| Carpenter, E. A. | Fitzgerald | Peck | Tully |
| Carpenter, I. S. | Goraline | Phillips | Tuthill, H. H. |
| Case | Gray | Pitcher | Tuttle, R. M. |
| Chase | Griggs | Potts | Varnum |
| Chickering | Havens | Rhodes | Warner |
| Clark | Hayes | Roberts | Waterbury |
| Clowes | Hoffman | Root | Wells, D. A. |
| Cohen | Howland | Russell | Wells, J. L. |
| Comstock | Hurd | Sanders | Weston |
| Congdon | Husted | Seeley | Wren |
| Cookinham | Ingersoll | Shanley | Youngs |
| Costello | | | |

On motion of Mr. Pitcher, and by unanimous consent, said bill was amended in words following:

Section 1, line 36, strike out the word "working" and insert in place thereof the word "making."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 97 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|----------|-------------|
| Alvord | Crapser | Kennedy | Sherman |
| Andrews | Cullinan | Lefever | Shuit |
| Baker, B. F. | Ourtis | Liddle | Sipp |
| Baker, C. S. | Davis | Lindsay | Sisson |
| Beach | Deane | Low | Skinner |
| Beates | Dougherty | McDonald | Slingerland |
| Benedict, E. D. | Douglass | Mead | Steele |
| Benedict, T. E. | Duell | Miller | Strait |
| Bennett | Duguid | Mitchell | Tallmadge |
| Bradley | Ellis | Moore | Terry |

| | | | |
|------------------|------------|----------|----------------|
| Brennan | Evans | Morgan | Titus |
| Bridges | Ferris | Newman | Tozier |
| Brodsky | Fish | Nowlan | Travis |
| Bullock | Fiske | O'Brien | Treanor |
| Carpenter, E. A. | Fitzgerald | Peck | Tuthill, H. H. |
| Carpenter, I. S. | Gorsline | Phillips | Tuttle, R. M. |
| Case | Gray | Pitcher | Varnum |
| Chase | Griggs | Potts | Warner |
| Chickering | Hayes | Rhodes | Waterbury |
| Clark | Hoffman | Roberts | Wells, D. A. |
| Cohen | Howland | Root | Wells, J. L. |
| Comstock | Hurd | Russell | Weston |
| Congdon | Husted | Sanders | Wren |
| Cookinham | Ingersoll | Seeley | Youngs |
| Costello | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A message was received from the Governor, in words following :

STATE OF NEW YORK, EXECUTIVE CHAMBER, }
ALBANY, May 12, 1880. }

To the Assembly :

In pursuance of a joint resolution of the Senate and Assembly, herewith is returned Assembly bill entitled "An act to legalize and confirm the official acts of William J. Robb, a justice of the peace of the town of Perth, in the county of Fulton, New York," for amendment.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 96 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|----------------|
| Alvord | Cookinham | Husted | Sherman |
| Andrews | Costello | Ingersoll | Shuit |
| Baker, B. F. | Crapser | Kennedy | Sipp |
| Baker, C. S. | Cullinan | Lefever | Sisson |
| Beach | Curtis | Liddle | Skinner |
| Beates | Davis | Low | Slingerland |
| Benedict, E. D. | Deane | McAvoy | Steele |
| Benedict, T. E. | Dougherty | McCabe | Strait |
| Bennett | Douglass | McDonald | Tallmadge |
| Bradley | Duell | Miller | Terry |
| Brennan | Duguid | Mitchell | Titus |
| Bridges | Ellis | Moors | Tozier |
| Brodsky | Evans | Morgan | Travis |
| Bullock | Ferris | Newman | Treanor |
| Carpenter, E. A. | Fish | Nowlan | Tuthill, H. H. |
| Carpenter, I. S. | Fiske | O'Brien | Tuttle, R. M. |
| Case | Gorsline | Peck | Varnum |
| Chase | Gray | Phillips | Warner |
| Chickering | Griggs | Potts | Waterbury |
| Clark | Havens | Rhodes | Wells, D. A. |
| Clowes | Hayes | Roberts | Wells, J. L. |
| Cohen | Hoffman | Root | Weston |
| Comstock | Howland | Russell | Wren |
| Congdon | Hurd | Sanders | Youngs |

On motion of Mr. D. A. Wells, and by unanimous consent, said bill was amended in words following:

Strike out all after the enacting clause and insert:

Section 1. The official acts of every justice of the peace heretofore done and performed, duly elected or appointed to the office, so far as such official acts may be affected, impaired or questioned, by reason of the failure of any such justice to take and subscribe to the official oath as required by law, are hereby legalized and confirmed.

§ 2. Nothing herein contained shall affect any suit or proceeding now pending.

§ . This act shall take effect immediately.

Change title so as to read: "An act to legalize the official acts of certain justices of the peace."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Cookinham | Hurd | Shanley |
| Andrews | Costello | Husted | Sheridan |
| Baker, B. F. | Crapsier | Lefever | Sherman |
| Baker, C. S. | Cullinan | Liddle | Shuit |
| Beach | Curtis | Lindsay | Sipp |
| Beates | Cushing | Low | Sisson |
| Benedict, E. D. | Davis | McAvoy | Skinner |
| Benedict, T. E. | Deane | McCabe | Slingerland |
| Bennett | Douglass | McDonald | Steele |
| Bradley | Duell | Miller | Strait |
| Brennan | Duguid | Mooers | Tallmadge |
| Bridges | Ellis | Morgan | Titus |
| Brodsky | Evans | Newman | Tosier |
| Bullock | Ferris | Nowlan | Treanor |
| Carpenter, E. A. | Fish | O'Brien | Tuthill, H. H. |
| Carpenter, I. S. | Fitzgerald | Pitcher | Tuttle, R. M. |
| Case | Goraline | Potts | Varnum |
| Chase | Gray | •Rhodes | Waterbury |
| Chickering | Griggs | Roberts | Wells, D. A. |
| Clark | Groase | Root | Wells, J. L. |
| Clowes | Hayes | Russell | Weston |
| Cohen | Hoffman | Sanders | Wren |
| Comstock | Howland | Seeley | Youngs |
| Congdon | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A message was received from the Governor in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }
ALBANY, May 11, 1880. }

To the Assembly:

Pursuant to a joint resolution of the Senate and Assembly, Assembly bill No. 515, entitled "An act to amend chapter 30 of the Laws of 1880, entitled 'An act to amend chapter 598 of the Laws of 1870, entitled 'An act to amend an act to incorporate the city of Troy,

passed April 12, 1816, and the several acts amendatory thereof, and also to amend other acts relating to the city of Troy and supplemental thereto," is herewith returned for amendment.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|-----------|----------------|
| Alvord | Costello | Ingersoll | Sanders |
| Andrews | Crapeer | Kennedy | Sherman |
| Baker, B. F. | Cullinan | Lefever | Shuit |
| Baker, C. S. | Curtis | Liddle | Sipp |
| Beach | Davis | Lindsay | Sisson |
| Beates | Deane | Low | Skinner |
| Benedict, E. D. | Douglass | McCabe | Slingerland |
| Bennett | Duell | Miller | Steele |
| Bradley | Duguid | Mitchell | Tallmadge |
| Brennan | Ellis | Mooers | Titus |
| Bridges | Evans | Morgan | Tozier |
| Brodsky | Ferris | Newman | Travis |
| Carpenter, E. A. | Fish | Nowlan | Futhill, H. H. |
| Carpenter, I. S. | Gorsline | O'Brien | Tuttle, R. M. |
| Case | Gray | Peck | Varnum |
| Chase | Griggs | Phillips | Warner |
| Chickering | Grosse | Pitcher | Waterbury |
| Clancy | Hayes | Potter | Wells, D. A. |
| Clowes | Hoffman | Potts | Wells, J. L. |
| Comstock | Howland | Roberts | Weston |
| Congdon | Hurd | Root | Wren |
| Cookinham | Husted | Russell | Youngs |

Those who voted in the negative, were

Rhodes

Mr. Comstock moved to recommit said bill to the committee on affairs of cities, with instructions to amend said bill in words following, and report forthwith:

Amend engrossed bill by striking out the word "May," in section 3, and insert in lieu thereof the word "June."

After the 10th section of said act insert the following sections:

Section 11. Section 19 of chapter 30 of the Laws of 1880 is hereby amended so as to read as follows: The common council of said city shall, at its first regular meeting, not less than ten days after the passage of this act, elect and appoint six persons as commissioners of charities; two to hold office for one year, two to hold office for two years, and two to hold office for three years, who shall constitute a board to be styled the board of charities of the city of Troy. In voting for the said two persons to be elected and appointed commissioners, for a term of one year, no member of said common council shall vote for more than one of the said persons, and the two persons receiving the largest number of votes cast shall thereupon be immediately declared elected and appointed, the said two commissioners of charities, who shall hold office for the term of one year.

The said common council shall immediately thereafter proceed to vote for two commissioners of charities, whose term of office shall be two years. In voting for the said two persons to be elected and appointed commissioners for the term of two years, no member of the said common council shall vote for more than one of the said persons, and the two persons receiving the largest number of the votes cast shall thereupon be immediately declared elected and appointed, the said two commissioners of charities, who shall hold office for the term of two years.

The said common council shall immediately thereafter proceed to vote for two commissioners of charities, whose term of office shall be three years. In voting for the said two persons to be elected and appointed commissioners of charities for a term of three years, no member of the said common council shall vote for more than one of the said persons, and the two persons receiving the largest number of the votes cast shall thereupon be immediately declared elected and appointed the said commissioners of charities, who shall hold office for the term of three years.

If the said meeting of the common council shall be adjourned without the said six commissioners of charities being elected, the said common council shall proceed, at its next meeting, with the said election, and the said common council shall not transact any other business until the said six commissioners of charities shall have been elected.

§ 12. Section 38 of chapter 30 of the Laws of 1880, is hereby amended so as to read as follows: In voting for the said two general assessors, as provided in the preceding section, no member of the said common council shall vote for more than one of said general assessors, and the two persons receiving the largest number of the votes cast shall thereupon be immediately declared elected and appointed the two general assessors for the said city, who shall hold office for the term of two years.

If the said meeting of the common council should be adjourned without the said two general assessors being elected, the said common council shall proceed, at its next meeting, with the said election, and the said common council shall not transact any other business except to elect and appoint the commissioners of the board of charities hereinafter provided, until the said two general assessors shall have been elected.

Change the number of sections 11 and 12, as at present in bill, to numbers 13 and 14.

Mr. Varnum, from the committee on affairs of cities, reported said bill back, amended, as instructed by the House.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }
{ NOES 9 }

Those who voted in the affirmative, were

| | | | |
|--------------|----------|----------|-------------|
| Andrews | Davis | Low | Sipp |
| Baker, B. F. | Deane | McAvoy | Sisson |
| Baker, C. S. | Douglass | McCabe | Skinner |
| Beach | Duell | McCarthy | Slingerland |

| | | | |
|------------------|-----------|----------|----------------|
| Beates | Duguid | Miller | Steele |
| Bradley | Evans | Mitchell | Strait |
| Brennan | Ferris | Moers | Tallmadge |
| Bridges | Fish | Morgan | Terry |
| Brodsky | Gorsline | Nowlan | Titus |
| Bullock | Gray | O'Brien | Tozier |
| Carpenter, E. A. | Griggs | Peck | Travis |
| Carpenter, I. S. | Groose | Phillips | Tuthill, H. H. |
| Case | Hayes | Pitcher | Tuttle, R. M. |
| Chase | Howland | Potter | Varnum |
| Chickering | Hurd | Potts | Waterbury |
| Clowes | Husted | Roberts | Wells, D. A. |
| Comstock | Ingersoll | Root | Wells, J. L. |
| Congdon | Kennedy | Russell | Weston |
| Cookinham | Lefever | Sanders | Wren |
| Costello | Liddle | Sherman | Youngs |
| Curtis | Lindsay | Shuit | |

Those who voted in the negative, were

| | | | |
|-----------------|-------|--------|---------|
| Alvord | Cohen | Newman | Shanley |
| Benedict, E. D. | Ellis | Rhodes | Tully |
| Benedict, T. E. | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

By unanimous consent,

Mr. Andrews offered for the consideration of the House a resolution in the words following:

Resolved, That Senate bill No. 365, entitled "An act to revise and amend title 11 of chapter 291 of the Laws of 1867, entitled 'An act to incorporate the city of Binghamton,'" be substituted for Assembly bill with same title, general orders No. 925, now in its order of third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate returned the bill entitled "An act to amend chapter 519 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo,'" with a message that they have concurred in the passage of the same, with the following amendments:

Section 1, line 4, engrossed bill, strike out the word "five" and insert "ten."

Strike out section 11 and insert the following:

Section 11. "These amendments shall apply to all tax sales heretofore made by the city of Buffalo against which the limitations as heretofore fixed has not run, and to the city tax sale of 1880."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative.

{ AYES 97 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|--------------|-----------|----------|-------------|
| Alvord | Cullinan | Lefever | Shuit |
| Andrews | Curtis | Liddle | Sipp |
| Baker, B. F. | Davis | Lindsay | Sisson |
| Baker, C. S. | Deane | Low | Skinner |
| Beach | Dougherty | McCarthy | Slingerland |
| Beates | Douglass | McDonald | Steele |
| Bradley | Duell | Miller | Strait |

| | | | |
|------------------|------------|----------|----------------|
| Brennan | Duguid | Mitchell | Tallmadge |
| Bridges | Ellis | Mooers | Terry |
| Brodsky | Evans | Morgan | Titus |
| Bullock | Ferris | Nowlan | Fozier |
| Carpenter, E. A. | Fish | O'Brien | Travis |
| Carpenter, I. S. | Fitzgerald | Peck | Treanor |
| Case | Gorsline | Phillips | Tully |
| Chase | Gray | Pitcher | Tuthill, H. H. |
| Chickering | Griggs | Potter | Tuttle, R. M. |
| Clancy | Grosse | Potts | Varnum |
| Clark | Hayes | Rhodes | Warner |
| Clowes | Hoffman | Roberts | Waterbury |
| Cohen | Howland | Root | Wells, D. A. |
| Comstock | Hurd | Russell | Wells, J. L. |
| Congdon | Husted | Sanders | Weston |
| Cookinham | Ingersoll | Seeley | Wren |
| Costello | Kennedy | Sherman | Youngs |
| Crapsier | | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

By unanimous consent,

Mr. Skinner offered for the consideration of the House a resolution in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of Assembly bill No. 558, general orders No. 637, entitled "An act establishing an agricultural experiment station," and that it be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Alvord moved to lay all order of business on the table for the purpose of going into committee of the whole for the consideration of the bill entitled "An act to authorize a treaty with the Onondaga Indians."

Mr. Mitchell moved to amend in words following:

Resolved, That Assembly bill No. 493, entitled "An act to amend an act entitled 'An act to secure better administration in the police courts of the city of New York,' passed May 17, 1873," and Assembly bill No. 536, entitled "An act in relation to the removal or suspension of attorneys and counselors at law," be also considered in said committee.

Mr. Speaker put the question whether the House would agree to the motion of Mr. Mitchell, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Alvord, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act to authorize a treaty with the Onondaga Indians."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. McCarthy, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Alvord moved to discharge the committee of the whole from the further consideration of said bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

{ AYES 61 }
{ NOES 29 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|----------|--------------|
| Alvord | Costello | McDonald | Sherman |
| Andrews | Curtis | Mead | Shuit |
| Baker, C. S. | Davis | Miller | Sisson |
| Beach | Duguid | Mitchell | Skinner |
| Beates | Ellis | Moors | Steele |
| Benedict, E. D. | Gillette | Newman | Strait |
| Bennett | Gray | O'Brien | Tallmadge |
| Bradley | Hayes | Parker | Terry |
| Brennan | Hurd | Phillips | Tozier |
| Bridges | Husted | Pitcher | Travis |
| Brodsky | Ingersoll | Potter | Treanor |
| Chase | Liddle | Potts | Varnum |
| Chickering | Lindsay | Rhodes | Wells, D. A. |
| Clark | Low | Roberts | Weston |
| Congdon | McCarthy | Sheridan | Youngs |
| Cookinham | | | |

Those who voted in the negative, were

| | | | |
|------------------|-----------|---------|----------------|
| Benedict, T. E. | Cullinan | Grosse | McAvoy |
| Bullock | Dougherty | Hagan | McCabe |
| Carpenter, E. A. | Duell | Havens | Morgan |
| Carpenter, I. S. | Evans | Hoffman | Root |
| Chamberlain | Ferris | Howland | Russell |
| Childs | Gorsline | Kennedy | Tuthill, H. H. |
| Cohen | Griggs | Lefever | Tuttle, R. M. |
| Comstock | | | |

The Senate sent for concurrence the bill entitled "An act to amend chapter 138 of the Laws of 1880, entitled 'An act making an appropriation to continue the work on the New Capitol building,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Slingerland, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|----------------|
| Alvord | Crapser | Hurd | Russell |
| Andrews | Cullinan | Husted | Sanders |
| Baker, B. F. | Curtis | Ingersoll | Sheridan |
| Baker, C. S. | Davis | Kennedy | Sherman |
| Beach | Dougherty | Lefever | Shuit |
| Beates | Douglass | Lindsay | Sipp |
| Benedict, E. D. | Duell | Low | Slingerland |
| Bennett | Duguid | McCabe | Steele |
| Bradley | Ellis | McTernan | Tallmadge |
| Brennan | Evans | Miller | Terry |
| Bridges | Ferris | Mitchell | Titus |
| Brodsky | Fish | Moors | Tozier |
| Carpenter, E. A. | Fitzgerald | Morgan | Travis |
| Carpenter, I. S. | Gillette | Newman | Treanor |
| Chamberlain | Gorsline | Nowlan | Tuthill, H. H. |

| | | | |
|------------|---------|----------|--------------|
| Chase | Gray | O'Brien | Warner |
| Chickering | Griggs | Phillips | Waterbury |
| Childs | Havens | Potter | Wells, D. A. |
| Comstock | Hayes | Potts | Wells, J. L. |
| Congdon | Hoffman | Roberts | Weston |
| Costello | Howland | Root | Youngs |

Those who voted in the negative, were
Skinner

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

On motion of Mr. Husted, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill entitled "An act making appropriations for the several judicial district libraries," and said bill was ordered to a third reading.

Mr. Sipp moved to substitute Senate bill, not printed, for Assembly bill No. 771, entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of increasing the water supply to its inhabitants," on same subject.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate returned Assembly bill entitled "An act to amend section 9, chapter 11, article 1, title 2, part 1 of the Revised Statutes, and supplementary thereto," with a message that they have concurred in the same, with the following amendments:

Section 1, line 4, strike out the word "and;" same line, after the word "city," insert "Yonkers and Buffalo."

Add at the end of section 2 the following: "The common council of any city in which a ward has been changed or a new one created, since the last State census, shall, immediately after the changing a ward or creating a new one, cause a census of such ward to be made by an officer to be appointed by said common council, the record of said census shall be filed in the clerk's office of said city, and such ward shall not be entitled to elect a supervisor unless the population thereof shall be at least 2,500, as shall appear by such census."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Davis | Liddle | Shuit |
| Andrews | Deane | Lindsay | Sipp |
| Baker, B. F. | Dougherty | Low | Sisson |
| Baker, C. S. | Douglass | McAvoy | Skinner |
| Beach | Duell | Miller | Slingerland |
| Beates | Duguid | Mooers | Steele |
| Brennan | Ellis | Morgan | Tallmadge |
| Bridges | Evans | Newman | Terry |
| Brodsky | Ferris | Nowlan | Thilemann |
| Bullock | Fiske | O'Brien | Titus |
| Carpenter, E. A. | Gillette | Phillips | Tozier |
| Carpenter, I. S. | Gorsline | Pitcher | Travis |
| Childs | Gray | Potter | Tuthill, H. H. |
| Clark | Griggs | Potts | Tuttle, R. M. |
| Clowes | Hayes | Rhodes | Warner |

| | | | |
|----------|-----------|----------|--------------|
| Cohen | Hoffman | ●Roberts | Waterbury |
| Comstock | Howland | Root | Wells, D. A. |
| Congdon | Hurd | Russell | Wells, J. L. |
| Costello | Husted | Seeley | Weston |
| Crapser | Ingersoll | Shanley | Wren |
| Cullinan | Kennedy | Sherman | Youngs |
| Curtis | Lefever | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

By unanimous consent,

Mr. Terry offered for the consideration of the House a resolution in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of Senate bill No. 302, general orders No. 360, entitled "An act to authorize the improvement of certain rivers, and to facilitate the running and driving of saw logs, lumber and timber down the same," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Tallmadge offered for the consideration of the House a privileged resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor asking the return of Assembly bill No. 491, entitled "An act to prohibit the erection, construction, maintenance or operation of elevated railways or extensions thereof, in certain streets or avenues in the city of Brooklyn and county of Kings," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate returned Assembly bill entitled "An act to provide a public park for the city of Elmira, and for the care of the same," with a message that they have concurred in the passage of the same, with the following amendments:

Section 1, lines 2 and 3, strike out "Antonie Romer" and insert "Christopher Preswick, William J. Dounce."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-------------|
| Alvord | Curtis | Lefever | Sheridan |
| Andrews | Davis | Liddle | Sisson |
| Baker, B. F. | Deane | Lindsay | Skinner |
| Baker, C. S. | Dougherty | Low | Slingerland |
| Beach | Duell | McCabe | Steele |
| Beates | Duguid | Miller | Strait |
| Benedict, E. D. | Ellis | Mitchell | Tallmadge |
| Bridges | Evans | Moors | Terry |
| Brodsky | Ferris | Morgan | Titus |
| Bullock | Fish | Newman | Tozier |
| Carpenter, E. A. | Fiske | Nowlan | Travis |

| | | | |
|------------------|-----------|----------|----------------|
| Carpenter, I. S. | Gillette | O'Brien | Treanor |
| Chamberlain | Gorsline | Phillips | Tuthill, H. H. |
| Chase | Gray | Potter | Tuttle, R. M. |
| Chickering | Hagan | Potts | Warner |
| Childs | Hayes | Rhodes | Waterbury |
| Clancy | Hoffman | Roberts | Wells, D. A. |
| Clark | Howland | Root | Wells, J. L. |
| Clowes | Hurd | Russell | Weston |
| Congdon | Husted | Seeley | Wren |
| Cookinham | Ingersoll | Shanley | Youngs |
| Cullinan | Kennedy | | |

Ordered, That the Clerk return said bill to the Senate with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act to release and grant the interest of the People of the State of New York in certain real estate in the city of Brooklyn, in the county of Kings, and State of New York, to Mary Ryan," with a message that they have concurred in the passage of the same with the following amendments:

Section 1, line 25, engrossed bill, lines 25 and 26, strike out the words "granted and."

Section 2, line 1, strike out the word "prejudice" and insert "affect;" line 2, after the word "right" insert "title or interest;" same line strike out "acquired" and insert "in and to said premises;" same line strike out "s" in "heirs;" line 3, after "the case" insert "devisee, grantee of said Michael Ryan;" same line strike out "purchaser;" same line after the word "or" insert "by judgment;" same line strike out "mortgagee" and insert "mortgage;" same line strike out "of said" and insert "or otherwise;" strike out all of line 4.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES . 92 }
{ NOES . 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|-----------|----------------|
| Alvord | Cullinan | Ingersoll | Russell |
| Andrews | Curtis | Kennedy | Sanders |
| Baker, B. F. | Davis | Lefever | Seeley |
| Baker, C. S. | Deane | Liddle | Shanley |
| Beach | Douglass | Lindsay | Sheridan |
| Beates | Duell | Low | Sherman |
| Benedict, E. D. | Duguid | McCabe | Shuit |
| Bennett | Ellis | McCarthy | Sisson |
| Brennan | Ferris | McDonald | Skinner |
| Bridges | Fish | Miller | Slingerland |
| Brodsky | Fiske | Mitchell | Tallmadge |
| Bullock | Gibbs | Mooers | Terry |
| Carpenter, E. A. | Gillette | Morgan | Thilemann |
| Carpenter, I. S. | Gorsline | Newman | Titus |
| Chase | Gray | Nowlan | Tozier |
| Chickering | Griggs | Parker | Travis |
| Childs | Hagan | Phillips | Treanor |
| Clancy | Havens | Pitcher | Tuthill, H. H. |
| Clark | Hayes | Potter | Tuttle, R. M. |
| Cohen | Hoffman | Potts | Waterbury |
| Comstock | Howland | Rhodes | Wells, D. A. |
| Congdon | Hurd | Roberts | Wells, J. L. |
| Cookinham | Husted | Root | Weston |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act providing for the verification of pleadings in the justices' court," with a message that they had concurred in the same, with the following amendments:

Section 1, line 4, strike out the words "or attorney;" line 14, after the word "plaintiff" insert "or;" same line strike out "or attorney."

Section 3, line 1, strike out "on" and insert "or;" line 2, strike out "rer" in the word "demurrer."

Strike out all of section 4, section 5 and section 6, and make section 7 section 4.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|---------------|
| Alvord | Cullinan | Kennedy | Shanley |
| Andrews | Curtis | Lefever | Sheridan |
| Baker, B. F. | Cushing | Liddle | Sherman |
| Baker, C. S. | Davis | Lindsay | Sisson |
| Beach | Deane | Low | Skinner |
| Beates | Douglass | McCabe | Slingerland |
| Benedict, E. D. | Duell | Miller | Steele |
| Benedict, T. E. | Duguid | Mooers | Tallmadge |
| Brennan | Ellis | Morgan | Terry |
| Bridges | Ferris | Newman | Thilemann |
| Brodaky | Fish | Nowlan | Tozier |
| Bullock | Gillette | O'Brien | Travis |
| Carpenter, I. S. | Gorsline | Phillips | Treanor |
| Case | Gray | Potter | Tuttle, R. M. |
| Chamberlain | Havens | Potts | Waterbury |
| Chase | Hayes | Rhodes | Wells, D. A. |
| Chickering | Hoffman | Roberts | Wells, J. L. |
| Clancy | Howland | Root | Weston |
| Clark | Hurd | Russell | Wren |
| Comstock | Husted | Sanders | Youngs |
| Congdon | Ingersoll | | |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend chapter 249 of the Laws of 1864, entitled 'An act to amend an act entitled 'An act to provide for the incorporation of villages, passed December 7, 1847, and the several acts amendatory thereof, so far as the same relate to the village of New Rochelle, in the county of Westchester, and the several acts amendatory thereof.'"

"An act to further amend chapter 262 of the Laws of 1855, entitled 'An act revising and amending an act entitled 'An act to incorporate the village of Ulster.'"

"An act further to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn and the various amendments thereof.'"

"An act supplementary to chapter 374 of the Laws of 1878, entitled 'An act to amend chapter 200 of the Laws of 1874, entitled 'An act to authorize the appraisal and sale of leased fine salt lots on the Onondaga Salt Springs Reservation by the Commissioners of the Land Office, and to authorize the sale of certain coarse salt lands, the removal of vats therefrom, and the purchase of other lands in lieu thereof.'"

"An act to confirm certain deeds given by the mayor and aldermen of the city of New York."

"An act to amend chapter 633 of the Laws of 1875, entitled 'An act to amend the charter of the city of Brooklyn, being the act for that purpose passed June 28, 1873, and the act for that purpose passed June 1, 1874.'"

"An act to repeal chapter 74 of the Laws of 1866, entitled 'An act to create a metropolitan sanitary district and a board of health therein for the preservation of life and health and to prevent the spread of disease, passed February 26, 1866, so far as it relates to the town of Newtown, Queens county, and to provide for the appointment of a board of health in said town, and defining its powers and duties.'"

"An act to amend section 1323 of the Code of Civil Procedure."

"An act to prevent the sale of any adulterated article as cider vinegar."

"An act to further amend chapter 143 of the Laws of 1861, entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester, and to consolidate therewith the several acts in relation to the charter of said city, as amended by chapter 14 of the Laws of 1880.'"

"An act releasing all the right, title and interest of the People of the State of New York to and in certain lands in the city of Brooklyn, eastern district, formerly town of Bushwick, county of Kings, formerly lying in the East river."

"An act for the relief of Patrick Burns."

The Senate returned Assembly bill entitled "An act to provide for leasing wharf property necessary for ferry purposes, along with the franchise of a ferry within the city of New York," with a message that they had concurred in the same, with the following amendments:

Insert as section 2 the following:

Section 2. Should the present lessees of any ferry or ferry franchise, in said city, fail to obtain a renewal of their lease, the successful bidder or bidders for said ferry or ferry franchise shall purchase from the present lessees the boats, buildings and other property actually used and necessary for the purpose of the ferry at a fair valuation, to be determined as follows: The successful bidder or bidders for the ferry or ferry franchise shall appoint one person, and the present lessees of the ferry or ferry franchise shall appoint one person, to appraise the value of the ferry property; and if the two persons so appointed cannot agree they shall appoint one person as an umpire, and the amount agreed upon by any two of the persons so appointed, as the fair value of the ferry property, shall be paid by the successful bidder or bidders to the present lessees of the ferry or ferry franchise.

Make section 2 section 3, and section 3 section 4.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|---------------|
| Alvord | Dougherty | Lindsay | Sheridan |
| Andrews | Douglass | Low | Sherman |
| Baker, B. F. | Duell | McCabe | Shuit |
| Benedict, T. E. | Duguid | McCarthy | Sisson |
| Brennan | Ellis | McDonald | Slingerland |
| Brotsky | Evans | Miller | Steele |
| Bullock | Fish | Mooers | Terry |
| Carpenter, E. A. | Gillette | Morgan | Titus |
| Carpenter, I. S. | Gorsline | Newman | Tozier |
| Chase | Gray | Nowlan | Travis |
| Chickering | Griggs | O'Brien | Treanor |
| Childs | Havens | Peck | Tully |
| Clark | Hayes | Phillips | Tuttle, R. M. |
| Clowes | Hoffman | Potter | Varnum |
| Cohen | Howland | Potts | Warner |
| Costello | Hurd | Rhodes | Waterbury |
| Crapser | Ingersoll | Roberts | Wells, D. A. |
| Curtis | Kennedy | Root | Wells, J. L. |
| Davis | Lefever | Russell | Weston |
| Deane | Liddle | Seeley | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act to provide for the taxation of life insurance companies," with a message that they have concurred in the passage of the same with the following amendments:

Section 4, line 3, after the word "for" insert "State."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }
{ NOES 7 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Crapser | Kennedy | Shanley |
| Andrews | Cullinan | Lefever | Sheridan |
| Baker, B. F. | Curtis | Low | Sherman |
| Beach | Davis | McAvoy | Shuit |
| Beates | Deane | McCarthy | Skinner |
| Benedict, E. D. | Dougherty | McDonald | Slingerland |
| Benedict, T. E. | Douglass | McTernan | Steele |
| Bradley | Duell | Mead | Strait |
| Brennan | Duguid | Miller | Terry |
| Bridges | Evans | Mitchell | Thilemann |
| Brotsky | Ferris | Mooers | Titus |
| Bullock | Fish | Nowlan | Tozier |
| Carpenter, E. A. | Fiske | O'Brien | Travis |
| Carpenter, I. S. | Gillette | Parker | Treanor |
| Case | Gorsline | Peck | Tully |
| Chickering | Gray | Phillips | Tuthill, H. H. |
| Claney | Griggs | Pitcher | Tuttle, R. M. |
| Clark | Grosse | Potter | Warner |
| Clowes | Havens | Potts | Waterbury |

| | | | |
|-----------|-----------|---------|--------------|
| Cohen | Hoffman | Rhodes | Wells, D. A. |
| Congdon | Howland | Roberts | Wells, J. L. |
| Cookinham | Hurd | Root | Wren |
| Costello | Ingersoll | Sanders | |

Those who voted in the negative, were

| | | | |
|--------------|----------|--------|--------|
| Baker, C. S. | Comstock | Hayes | Newman |
| Chase | Hagan | Husted | |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

A message from the Senate was received in the words following:

IN SENATE, *May 11*, 1880.

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act establishing the salary of the Deputy Comptroller."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. McCarthy, and by unanimous consent, the same was amended as follows:

Amend section 1 so as to read as follows:

Section 1. The salary of the Deputy Comptroller is hereby fixed at \$4,000 per annum from the first day of June, 1880, and the sum of \$500 is hereby appropriated to supply deficiency in said salary.

And as amended passed, re-engrossed and ordered sent to the Assembly for concurrence.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }
{ NOES 4 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Cookinham | Lindsay | Sherman |
| Andrews | Davis | Low | Shuit |
| Baker, B. F. | Deane | McAvoy | Sisson |
| Baker, C. S. | Dougherty | McCabe | Slingerland |
| Beach | Douglass | McCarthy | Steele |
| Beates | Duell | Mead | Strait |
| Benedict, E. D. | Duguid | Miller | Tallmadge |
| Bradley | Fish | Mitchell | Terry |
| Brennan | Fiske | Mooers | Thilemann |
| Bridges | Gillette | Morgan | Titus |
| Brodsky | Gorsline | Newman | Travis |
| Bullock | Gray | Nowlan | Treanor |
| Carpenter, E. A. | Griggs | O'Brien | Tuthill, H. H. |
| Carpenter, I. S. | Hagan | Pitcher | Tuttle, R. M. |
| Case | Hayes | Potter | Varnum |
| Chase | Hoffman | Potts | Warner |
| Chickering | Howland | Rhodes | Waterbury |
| Childs | Hurd | Roberts | Wells, D. A. |
| Clark | Husted | Root | Wells, J. L. |
| Clowes | Ingersoll | Russell | Weston |
| Cohen | Kennedy | Sanders | Wren |
| Comstock | Lefever | Shanley | Youngs |
| Congdon | Liddle | Sheridan | |

Those who voted in the negative, were

| | | | |
|---------|--------|--------|------|
| Crapser | Curtis | Ferris | Peck |
|---------|--------|--------|------|

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

| | |
|--------|------|
| { AYES | 81 } |
| { NOES | 15 } |

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|----------------|
| Alvord | Cullinan | Husted | Sanders |
| Andrews | Davis | Ingersoll | Shanley |
| Baker, B. F. | Deane | Kennedy | Sheridan |
| Baker, C. S. | Dougherty | Lefever | Shuit |
| Beach | Douglass | Lindsay | Sisson |
| Beates | Duell | Low | Steele |
| Benedict, E. D. | Duguid | McCabe | Tallmadge |
| Bradley | Fiske | Mead | Terpeny |
| Brennan | Fitzgerald | Miller | Tozier |
| Brodsky | Gibbs | Mitchell | Travis |
| Bullock | Gillette | Mooers | Treanor |
| Carpenter, I. S. | Gorsline | Morgan | Tuthill, H. H. |
| Case | Gray | Newman | Varnum |
| Chase | Griggs | Nowlan | Warner |
| Chickering | Hagan | Pitcher | Waterbury |
| Childs | Havens | Potter | Wells, D. A. |
| Clancy | Hayes | Potts | Wells, J. L. |
| Clark | Hoffman | Rhodes | Weston |
| Comstock | Howland | Roberts | Wren |
| Cookinham | Hurd | Russell | Youngs |
| Costello | | | |

Those who voted in the negative, were

| | | | |
|-----------------|--------|--------|-------------|
| Benedict, T. E. | Curtis | Grosse | Skinner |
| Bridges | Evans | McAvoy | Slingerland |
| Cohen | Ferris | Peck | Titus |
| Crapser | Fish | Root | |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

A message from the Senate was received in the words following:

IN SENATE, *May 11, 1880.*

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages.'"

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. Halbert, and by unanimous consent, the same was amended as follows:

Amend section 1 so as to read as follows:

Section 1. Title 3 of chapter 291 of the Laws of 1870, entitled "An act for the incorporation of villages," is hereby amended by adding thereto a section in addition to those added by chapter 688 of the Laws of 1871, to be numbered section 22, as follows:

Section 22. Amend title so as to read as follows: "An act further to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,' and the acts amendatory thereof."

And as amended passed, re-engrossed, and ordered sent to the Assembly for concurrence.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-------------|----------------|
| Alvord | Dougherty | Newman | Strait |
| Andrews | Douglass | Nowlan | Tallmadge |
| Baker, B. F. | Duell | O'Brien | Terry |
| Baker, C. S. | Duguid | Parker | Titus |
| Beach | Ellis | Peck | Tozier |
| Beates | Evans | Phillips | Travis |
| Brodsky | Gorsline | Pitcher | Treanor |
| Bullock | Hayes | Potter | Tully |
| Carpenter, E. A. | Hoffman | Potts | Tuthill, H. H. |
| Carpenter, I. S. | Husted | Roberts | Tuttle, R. M. |
| Case | Ingersoll | Root | Varnum |
| Chickering | Kennedy | Russell | Warner |
| Clark | Lefever | Sherman | Waterbury |
| Clowes | Lindsay | Shuit | Wells, D. A. |
| Cohen | Low | Sipp | Wells, J. L. |
| Cookinham | McAvoy | Sisson | Weston |
| Cullinan | McTernan | Skinner | Wiley |
| Curtis | Mead | Slingerland | Wren |
| Davis | Miller | Steele | Youngs |
| Deane | Mitchell | | |

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 98 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Cullinan | Lindsay | Sherman |
| Andrews | Curtis | Low | Shuit |
| Baker, B. F. | Davis | McAvoy | Sipp |
| Baker, C. S. | Deane | McCarthy | Sisson |
| Beach | Dougherty | McDonald | Skinner |
| Beates | Douglass | Miller | Slingerland |
| Benedict, E. D. | Duell | Mitchell | Steele |
| Benedict, T. E. | Duguid | Moors | Strait |
| Bradley | Ellis | Morgan | Tallmadge |
| Brennan | Evans | Newman | Terry |
| Bridges | Ferris | Nowlan | Titus |
| Brodsky | Fish | O'Brien | Tozier |
| Bullock | Gorsline | Parker | Travis |
| Carpenter, E. A. | Gray | Peck | Treanor |
| Carpenter, I. S. | Griggs | Phillips | Tuthill, H. H. |
| Case | Grosce | Pitcher | Tuttle, R. M. |
| Chase | Hagan | Potter | Varnum |
| Chickering | Hayes | Potts | Warner |

| | | | |
|-----------|-----------|----------|--------------|
| Clark | Hoffman | Rhodes | Waterbury |
| Clowes | Howland | Roberts | Wells, D. A. |
| Cohen | Husted | Root | Wells, J. L. |
| Comstock | Ingersoll | Russell | Weston |
| Congdon | Kennedy | Sanders | Wren |
| Cookinham | Lefever | Sheridan | Youngs |
| Crapser | Liddle | | |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

A message was received from the Governor in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }
ALBANY, May 11, 1880. }

To the Assembly:

Pursuant to a joint resolution of the Senate and Assembly, Assembly bill No. 561, entitled "An act in relation to taxes and assessments levied prior to January 1, 1874, in the towns annexed from the county of Westchester to the city of New York," is herewith returned for amendment.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 101 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Costello | Kennedy | Sheridan |
| Andrews | Crapser | Lefever | Sherman |
| Baker, B. F. | Cullinan | Liddle | Shuit |
| Baker, C. S. | Davis | Lindsay | Sipp |
| Beach | Deane | Low | Sisson |
| Beates | Dougherty | McAvoy | Skinner |
| Benedict, E. D. | Douglass | McCarthy | Slingerland |
| Benedict, T. E. | Duell | McDonald | Steele |
| Bennett | Duguid | Miller | Strait |
| Bradley | Ellis | Mitchell | Tallmadge |
| Brennan | Evans | Mooers | Terry |
| Bridges | Ferris | Morgan | Titus |
| Brodsky | Fish | Newman | Tozier |
| Bullock | Fiske | Nowlan | Travis |
| Carpenter, E. A. | Gorsline | O'Brien | Treanor |
| Carpenter, I. S. | Gray | Parker | Tuthill, H. H. |
| Oase | Griggs | Peck | Tuttle, R. M. |
| Chase | Grosse | Phillips | Varnum |
| Chickering | Havens | Pitcher | Warner |
| Childs | Hayes | Potter | Waterbury |
| Clark | Hoffman | Potts | Wells, D. A. |
| Clowes | Howland | Rhodes | Wells, J. L. |
| Cohen | Hurd | Roberts | Weston |
| Comstock | Husted | Root | Wren |
| Congdon | Ingersoll | Russell | Youngs |
| Cookinham | | | |

On motion of Mr. J. L. Wells, and by unanimous consent, said bill was amended in words following:

Section 1, line 5, after the word "Westchester" insert as follows: "pursuant to the provisions of chapter 613 of the Laws of 1873, and."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 102 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|---------------|
| Alvord | Cullinan | Lefever | Russell |
| Andrews | Curtis | Liddle | Sanders |
| Baker, B. F. | Davis | Lindsay | Sherman |
| Baker, C. S. | Deane | Low | Shuit |
| Beach | Dougherty | McAvoy | Sipp |
| Beates | Douglass | McCabe | Sisson |
| Benedict, E. D. | Duell | McCarthy | Skinner |
| Benedict, T. E. | Duguid | McDonald | Slingerland |
| Bennett | Ellis | Mead | Steele |
| Bradley | Evans | Miller | Strait |
| Brennan | Ferris | Mitchell | Tallmadge |
| Bridges | Fish | Mooers | Terry |
| Brodsky | Fiske | Morgan | Titus |
| Bullock | Gillette | Newman | Tozier |
| Carpenter, E. A. | Gorsline | Nowlan | Travis |
| Carpenter, I. S. | Gray | O'Brien | Treanor |
| Case | Griggs | Parker | Tuttle, R. M. |
| Chase | Grosse | Peck | Varnum |
| Chickering | Havens | Phillips | Warner |
| Childs | Hayes | Pitcher | Waterbury |
| Clark | Hoffman | Potter | Wells, D. A. |
| Clowes | Howland | Potts | Wells, J. L. |
| Comstock | Hurd | Rhodes | Weston |
| Congdon | Husted | Roberts | Wren |
| Cookinham | Ingersoll | Root | Youngs |
| Crapser | Kennedy | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

Mr. Titus, from the sub-committee of the whole, presented a report, which was laid on the table and ordered printed.

(See Doc. No. 140.)

A message was received from the Governor in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER,
ALBANY, May 12, 1880. }

To the Assembly:

Pursuant to a joint resolution of the Senate and Assembly, Assembly bill No. 164, entitled "An act in relation to the keeping open of the offices of the register, county clerk and county treasurer of the county of Westchester," is herewith returned for amendment.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 105 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|----------------|
| Alvord | Crapser | Ingersoll | Seeley |
| Andrews | Cullinan | Kennedy | Sheridan |
| Baker, B. F. | Curtis | Lefever | Sherman |
| Baker, C. S. | Davis | Liddle | Shuit |
| Beach | Deane | Lindsay | Sipp |
| Beates | Dougherty | Low | Sisson |
| Benedict, E. D. | Douglass | McAvoy | Skinner |
| Benedict, T. E. | Duell | McCabe | Slingerland |
| Bennett | Duguid | McCarthy | Steele |
| Bradley | Ellis | McDonald | Strait |
| Brennan | Evans | Mead | Tallmadge |
| Bridges | Ferris | Miller | Terry |
| Brodsky | Fish | Mitchell | Titus |
| Bullock | Fiske | Mooers | Tozier |
| Carpenter, E. A. | Gillette | Newman | Travis |
| Carpenter, I. S. | Gorsline | Nowlan | Treanor |
| Case | Gray | O'Brien | Tuthill, H. H. |
| Chase | Griggs | Peck | Tuttle, R. M. |
| Chickering | Grosse | Pitcher | Varnum |
| Childs | Hagan | Potter | Warner |
| Clancy | Havens | Potts | Waterbury |
| Clark | Hayes | Rhodes | Wells, D. A. |
| Clowes | Hoffman | Roberts | Wells, J. L. |
| Comstock | Howland | Root | Weston |
| Congdon | Hurd | Russell | Wren |
| Cookinham | Husted | Sanders | Youngs |
| Costello | | | |

On motion of Mr. Travis, and by unanimous consent, said bill was amended in words following :

Strike out all after the first section, after the word " Sunday," and insert " and all such days as now are or hereafter may be made legal holidays."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|----------|-------------|
| Alvord | Cullinan | Liddle | Seeley |
| Andrews | Curtis | Lindsay | Sherman |
| Baker, B. F. | Davis | McAvoy | Shuit |
| Baker, C. S. | Deane | McCabe | Sipp |
| Beach | Dougherty | McCarthy | Sisson |
| Beates | Douglass | McDonald | Skinner |
| Benedict, E. D. | Duell | Mead | Slingerland |
| Benedict, T. E. | Duguid | Miller | Steele |
| Bennett | Evans | Mooers | Strait |
| Bradley | Ferris | Morgan | Tallmadge |
| Brennan | Fish | Newman | Terry |
| Bridges | Gorsline | Nowlan | Titus |
| Brodsky | Gray | O'Brien | Tozier |
| Bullock | Griggs | Parker | Travis |

| | | | |
|------------------|-----------|----------|---------------|
| Carpenter, E. A. | Havens | Peck | Tuttle, R. M. |
| Carpenter, I. S. | Hayes | Phillips | Varnum |
| Case | Hoffman | Pitcher | Warner |
| Chase | Howland | Potter | Waterbury |
| Chickering | Hurd | Potts | Wells, D. A. |
| Clowes | Husted | Roberts | Wells, J. L. |
| Comstock | Ingersoll | Root | Weston |
| Congdon | Kennedy | Russell | Wren |
| Cookinham | Lefever | Sanders | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A message was received from the Governor in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }
ALBANY, May 13, 1880. }

To the Assembly:

In pursuance of a joint resolution of the Senate and Assembly, Assembly bill No. 374, entitled "An act to vest certain powers in the president of the Kingston board of education, and the supervisor of the town of Ulster, formerly Kingston, and to facilitate the collection of taxes in the Kingston school district," is herewith returned for amendment.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }
{ NOES 3 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|---------------|
| Alvord | Davis | Low | Sherman |
| Andrews | Deane | McCarthy | Shuit |
| Baker, B. F. | Dougherty | McDonald | Sipp |
| Baker, C. S. | Douglass | Mead | Sisson |
| Beach | Duell | Miller | Skinner |
| Beates | Duguid | Mitchell | Slingerland |
| Benedict, E. D. | Ellis | Moors | Steele |
| Benedict, T. E. | Evans | Morgan | Strait |
| Bennett | Fish | Newman | Tallmadge |
| Bradley | Gillette | Nowlan | Terry |
| Brennan | Gorsline | O'Brien | Titus |
| Bridges | Gray | Parker | Tozier |
| Brodsky | Griggs | Peck | Travis |
| Bullock | Hayes | Phillips | Treanor |
| Carpenter, E. A. | Hoffman | Pitcher | Tuttle, R. M. |
| Carpenter, I. S. | Howland | Potter | Varnum |
| Case | Hurd | Potts | Warner |
| Chase | Husted | Roberts | Waterbury |
| Clowes | Ingersoll | Root | Wells, D. A. |
| Comstock | Kennedy | Russell | Wells, J. L. |
| Congdon | Lefever | Sanders | Weston |
| Cookinham | Liddle | Shanley | Wren |
| Cullinan | Lindsay | Sheridan | Youngs |
| Curtis | | | |

Those who voted in the negative, were

| | | |
|-------------|---------|--------|
| Chickering, | Crapser | Havens |
|-------------|---------|--------|

On motion of Mr. Lefever, and by unanimous consent, said bill was amended in words following:

Amend section 7 so as to read: "This act shall take effect immediately, except so much as relates to the compensation to be paid to the president of the board of education, in relation to which it shall take effect on the expiration of the term of the present incumbent."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 95 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|---------------|
| Alvord | Cullinan | Lefever | Russell |
| Andrews | Curtis | Liddle | Shanley |
| Baker, B. F. | Davis | Lindsay | Sheridan |
| Baker, C. S. | Deane | Low | Sherman |
| Beach | Dougherty | McAvoy | Shuit |
| Beates | Douglass | McCarthy | Sipp |
| Benedict, E. D. | Duell | McDonald | Sisson |
| Benedict, T. E. | Duguid | McTernan | Skinner |
| Bennett | Ellis | Mead | Slingerland |
| Bradley | Evans | Miller | Steele |
| Brennan | Ferris | Mitchell | Strait |
| Bridges | Fish | Mooers | Tallmadge |
| Brodsky | Gillette | Morgan | Terry |
| Bullock | Gorsline | Newman | Titus |
| Carpenter, E. A. | Gray | Nowlan | Tozier |
| Carpenter, I. S. | Griggs | O'Brien | Travis |
| Case | Havens | Peck | Treanor |
| Chase | Hayes | Phillips | Tuttle, R. M. |
| Chickering | Hoffman | Pitcher | Waterbury |
| Childs | Howland | Potter | Wells, D. A. |
| Clowes | Hurd | Potts | Wells, J. L. |
| Gomstock | Husted | Rhodes | Wren |
| Congdon | Ingersoll | Roberts | Youngs |
| Cookinham | Kennedy | Root | |

Those who voted in the negative, were

Varnum

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A message from the Senate was received and read, informing of concurrence in the following bills:

"An act to amend section four hundred and thirty of the Code of Procedure."

"An act authorizing and directing the enlargement of the west branch of the Eighteen Mile creek, north of the Erie canal, in the county of Niagara, so as to carry off the surplus waters of the Erie canal, and to prevent the overflow of lands adjacent thereto, and appropriating money for that purpose."

"An act to amend an act entitled 'An act to amend the charter of the village of Horseheads, Chemung county, passed April 14, 1855, and the several acts amendatory thereof by amending the following sections.'"

"An act to amend chapter 889 of the Laws of 1868, entitled 'An act to incorporate the Chateaugay Water Works Company.'"

"An act to amend chapter 249 of the Laws of 1879, entitled 'An act in relation to the acknowledgment by married women of deeds and other written instruments.'"

"An act to authorize the sale of subdivision No. 15 of block No. 27, in the Third ward, and a part of subdivision 18 of block No. 148, in the Sixth ward, of the city of Oswego."

"An act to exempt Fulton county from the provisions and operations of chapter 175 of the Laws of 1870, entitled 'An act creating a board of town auditors in the several towns of this State and to prescribe their powers and duties.'"

"An act to enable the electors of the town of Mayfield, Fulton county, N. Y. to vote by districts for town officers."

"An act to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn and the various amendments thereof.'"

"An act to amend chapter 16 of part 1 of the Revised Statutes in relation to highways and bridges."

"An act to amend chapter 70 of the Laws of 1858, entitled 'An act to incorporate the village of Olean in the county of Cattaraugus, and of the several acts amendatory thereof.'"

"An act to amend section 2 of chapter 405 of the Laws of 1879, entitled 'An act to amend sections 2 and 10 of chapter 248 of the Laws of 1878, entitled 'An act in relation to the election of officers in certain school districts.'"

"An act authorizing the Superintendent of Public Works to maintain that portion of the Genesee river feeder lying within the limits of the city of Rochester in such condition that it shall not be detrimental to the public health."

"An act to prevent interference with owners and captains of steamers engaged in the towing business."

"An act in relation to the superintendents of the poor of the county of Westchester, and the keeper of the county house in said county."

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Ingersoll moved to lay all order of business on the table, for the purpose of taking up order of business general orders, and the consideration of bills entitled as follows:

"An act fixing the amount to be paid on a policy of insurance."

"An act to provide for the printing of the State canvass."

"An act relative to certain improvements in the city of New York."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House then resolved itself into a committee of the whole, and after some time spent therein,

Mr. Speaker resumed the chair and stated, that the hour of two having arrived the House will take a recess until four p. m.

FOUR O'CLOCK P. M.

The House again met.
Mr. Speaker stated the pending question at the hour of adjournment to be the consideration of the bills entitled as follows:
"An act to provide for the printing of the State canvass"
"An act to incorporate the Oswego Water Works Company"

Senate, "An act fixing the amount to be paid on a policy of insurance."

"An act relative to certain improvements in the city of New York."

The House then resolved itself into committee of the whole on the bills entitled as follows:

"An act to provide for the printing of the State canvass."

Senate, "An act fixing the amount to be paid on a policy of insurance."

"An act relative to certain improvements in the city of New York."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Hurd, from said committee, reported that they have stricken out the first section and title of first named bill, which report was agreed to.

Mr. Hurd, from said committee, also reported progress on the second and last named bills, and asked and obtained leave to sit again.

Mr. Ingersoll moved to discharge the committee of the whole from the further consideration of the second named bill, and that the same be ordered to a third reading.

Mr. Husted moved the previous question.

Mr. Speaker put the question "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Ingersoll, and it was determined in the affirmative.

{ AYES 64 }
{ NOES 34 }

Those who voted in the affirmative, were

| | | | |
|-----------------|------------|-----------|-----------------|
| Alvord | Cohen | Ingersoll | Sherman |
| Baker, B. F. | Comstock | Kennedy | Shuit |
| Beach | Congdon | Low | Sipp |
| Beates | Costello | McAvoy | Sisson |
| Benedict, T. E. | Cullinan | McCabe | Slingerland |
| Brennan | Curtis | McCarthy | Strait |
| Bridges | Douglass | McDonald | Terpeny |
| Brodsky | Evans | McTernan | Terry |
| Bullock | Fitzgerald | Mead | Thilemann |
| Case | Gray | Morgan | Tormey |
| Chase | Gwinup | Newman | Tozier |
| Chickering | Hagan | O'Brien | Tully |
| Childs | Havens | Parker | Van Valkenburgh |
| Clancy | Hayes | Roberts | Walsh |
| Clark | Hoffman | Shanley | Waterbury |
| Clowes | Hurd | Sheridan | Wells, D. A. |

Those who voted in the negative, were

| | | | |
|------------------|----------|----------|-----------------|
| Baker, C. S. | Ferris | Nowlan | Steele |
| Bradley | Griggs | Phillips | Tallmadge |
| Carpenter, E. A. | Howland | Pitcher | Treanor |
| Carpenter, I. S. | Husted | Potts | Tuttle, R. M. |
| Cookinham | Lefever | Root | Varnum |
| Davis | Liddle | Russell | Wells, J. L. |
| Duell | Lindsay | Seeley | Youngs |
| Duguid | Miller | Stinner | Mr. Speaker |
| Ellis | Mitchell | Blanco | Benedict, T. E. |

Mr. Speaker moved to make the last named bill a special order for to-morrow morning, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Husted moved to extend the time of the session for 10 minutes.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Bradley moved that when this House adjourns to night, it be to meet again this evening at 8 o'clock.

Mr. Tallmadge moved to strike out the words "this evening" and insert "every evening next week, excepting Friday and Saturday."

Mr. Speaker put the question whether the House would agree to the motion of Mr. Tallmadge, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Bradley, and it was determined in the negative.

Mr. Titus moved that Assembly bill entitled "An act to establish a police department in the city of Buffalo, and to provide for the government thereof," do now have its third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Said bill being announced for a third reading,

Mr. Sipp moved to strike out the enacting clause.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 75 }
{ NOES 19 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Curtis | Lefever | Sanders |
| Andrews | Davis | Liddle | Seeley |
| Baker, B. F. | Deane | Lindsay | Sheridan |
| Baker, C. S. | Dougherty | Low | Sherman |
| Beach | Douglass | McAvoy | Shuit |
| Beates | Duell | McCarthy | Sisson |
| Bradley | Duguid | Mead | Skinner |
| Bridges | Ferris | Miller | Slingerland |
| Brodsky | Fish | Mitchell | Tallmadge |
| Carpenter, E. A. | Fiske | Mooers | Terry |
| Case | Fitzgerald | Morgan | Titus |
| Chase | Gray | Nowlan | Travis |
| Childs | Griggs | O'Brien | Van Valkenburgh |
| Clowes | Hayes | Peck | Varnum |
| Cohen | Howland | Phillips | Waterbury |
| Comstock | Hurd | Potts | Wells, D. A. |
| Cookinham | Husted | Roberts | Wells, J. L. |
| Costello | Ingersoll | Root | Youngs |
| Cullinan | Kennedy | Russell | |

Those who voted in the negative, were

| | | | |
|-----------------|----------|----------|---------------|
| Benedict, T. E. | Gorsline | McDonald | Terpeny |
| Beonett | Grasse | Parker | Treavor |
| Clancy | Gwinup | Shanley | Fully |
| Crapser | Havens | Sipp | Tuttle, R. M. |
| Ellis | Hoffman | Strait | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned Assembly bill entitled "An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game.'"

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned Senate bill entitled "An act for the better preservation of trees and shrubbery on the islands in Lake George," with a message that they have concurred in the amendments made therein in the Assembly.

Ordered, That the Clerk return said bill to the Senate.

By unanimous consent,

Mr. C. S. Baker offered for the consideration of the House a privileged resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor, requesting the return of Assembly bill No. 611, entitled "An act to provide for the protection and preservation of fish in the county of Monroe, State of New York," for amendment and correction.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. I. S. Carpenter offered for the consideration of the House a resolution in the words following:

Resolved (if the Senate concur), That a respectful request be sent to His Excellency the Governor, asking the return of Assembly bill, not printed, entitled "An act to legalize the official acts of Barclay Haviland, a justice of the peace of Washington, in Dutchess county," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Sherman offered for the consideration of the House a resolution in the words following:

Whereas, It has pleased Divine Providence to call from the scenes of an active and useful life the Hon. DeWitt Parshall, of Wayne county, a former member of this House; and,

Whereas, It is fitting that we, his survivors, should formally show our appreciation of the loss his death has occasioned; therefore,

Resolved, That this Assembly hereby extends to his bereaved family its sincere sympathy, and expresses its deep sense of the loss his sudden death will be to the public and business interests of our State.

Resolved, That a copy of these resolutions be engrossed, and forwarded by the Clerk to his bereaved family.

Mr. Speaker put the question whether the House would agree to said resolutions, and it was determined in the affirmative by a unanimous standing vote.

On motion of Mr. Alvord, and at six o'clock and fifteen minutes, the House adjourned.

FRIDAY MORNING, MAY 14, 1880.

The House met pursuant to adjournment.

Prayer by Rev. J. B. Campbell.

The journal of yesterday was read and approved.

A message from the Senate was received and read, informing of concurrence in the following bills:

"An act to release the right, title and interest of the People of the State of New York of, in and to certain real estate of which George Johnson died seized to Catharine Johnson, his widow."

"An act to incorporate the Grand Lodge Knights of Pythias of the State of New York."

"An act to amend an act entitled 'An act to amend the charter of the village of Nassau, in the county of Rensselaer, passed April 17, 1866.'"

"An act to authorize and facilitate the construction and improvement of sidewalks in the streets of unincorporated villages, and the application of highway labor thereto."

"An act to confirm the official acts of George M. Briggs, Charles Forbes and George W. Brimmer, commissioners of excise in and for the town of Broadalbin, in the county of Fulton, and to enable them to execute a bond to the supervisor thereof."

"An act to provide for the proper drainage of lands in the city of New York."

"An act to confirm the official acts of James S. Williams, Endelmer E. Moon and Theodore S. Cowles, commissioners of excise in and for the town of Tully, in the county of Onondaga."

"An act to authorize cities and incorporated villages to charge license fees to persons doing a retail business on the canals of this State."

"An act to amend chapter 150 of the Laws of 1872, entitled 'An act to incorporate the city of Kingston.'"

"An act to provide for the taxation of life insurance companies."

"An act to amend chapter 410 of the Laws of 1878, entitled 'An act to improve Flushing avenue, Long Island City.'"

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Bradley offered for the consideration of the House a privileged resolution in the words following:

Resolved, That when this House adjourns to-day it be to meet on Monday evening next at 6 o'clock; and that, after Monday next, this House will hold three sessions each day, viz.: from 10 A. M. till 2 P. M., from 4 P. M. till 6 P. M., and at 8 P. M.

Mr. Bradley moved the previous question.

Mr. Speaker put the question, "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution of Mr. Bradley, and it was determined in the affirmative.

{ AYES 57 }
{ NOES 26 }

Those who voted in the affirmative, were

Andrews
Baker, C. S.

Cullinan
Deane

McCabe
McCarthy

Skinner
Steele

| | | | |
|------------------|------------|----------|---------------|
| Beach | Douglass | McTernan | Strait |
| Beates | Duguld | Morgan | Tallmadge |
| Benedict, E. D. | Evans | Newman | Terry |
| Bradley | Ferris | Parker | Thilemann |
| Brennan | Fitzgerald | Peck | Travis |
| Brodsky | Goraline | Phillips | Tully |
| Carpenter, E. A. | Gray | Potts | Tuttle, R. M. |
| Carpenter, I. S. | Hagan | Rhodes | Varnum |
| Childs | Howland | Root | Walsh |
| Clancy | Kennedy | Russell | Wells, J. L. |
| Clark | Lindsay | Sheridan | Wren |
| Clowes | Low | Sipp | Youngs |
| Crapser | | | |

Those who voted in the negative, were

| | | | |
|-----------------|-----------|---------|-----------------|
| Alvord | Congdon | Hoffman | Shanley |
| Benedict, T. E. | Cookinham | Husted | Shewman |
| Bennett | Curtis | Miller | Sisson |
| Bridges | Davis | Mooers | Tozier |
| Bullock | Duell | Nowlan | Van Valkenburgh |
| Case | Gwinup | Sanders | Wells, D. A. |
| Chickering | Hayes | | |

By unanimous consent,

Mr. Alvord, in behalf of Mr. Catlin, offered for the consideration of the House a resolution in the words following:

Resolved, That Senate bill No. 327, entitled "An act in relation to the grading of sidewalks and the laying of flagwalks in front of certain lots on Fourth avenue in the late village of West Mount Vernon, now a part of the village of Mount Vernon, in the county of Westchester;" and Senate bill No. 360, entitled "An act to amend chapter 217 of the Laws of 1865, entitled 'An act to establish the office of receiver of taxes and assessments in the town of East Chester, in the county of Westchester, New York,'" be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof

By unanimous consent,

Mr. Shanley offered for the consideration of the House a resolution in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of Senate bill No. 108, general orders No. 1000, entitled "An act in relation to the enlargement of the bridge across the Erie canal at Fultonville," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Chickering introduced a bill entitled "An act making appropriations for the payment of certain awards made by the State Board of Audit," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Chickering, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Alvord offered for the consideration of the House a resolution in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of Senate bill No. 384, entitled "An act to provide for supplying the city of Kingston with pure and wholesome water," and, by unanimous consent, the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate sent for concurrence the following resolution :

Resolved (if the Assembly concur), That this Legislature will adjourn *sine die* on Friday the 21st inst., at 4 o'clock in the afternoon of that day.

Ordered, That the same be laid on the table.

The Senate sent for concurrence the following bills :

"An act to amend chapter 449 of the Laws of 1876, entitled 'An act authorizing the trustees of the village of College Point to issue bonds and borrow money for the erection of a school-house in said village, and to increase the school tax in said village,' which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Youngs, and by unanimous consent, said bill was ordered to a third reading.

"An act to repeal chapter 43 of the Laws of 1871, entitled 'An act to exempt the county of Westchester from the provisions of chapter 888 of the Laws of 1869, entitled 'An act to amend title 16, chapter 8, part 3 of the Revised Statutes relative to providing for the drainage of swamp, marsh or other low or wet lands, and for draining farm lands,' passed May 12, 1869," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent, said bill was ordered to a third reading.

"An act in relation to assessments for taxes for Long Island City," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Clowes, and by unanimous consent, said bill was substituted for Assembly bill No. 739, now on order of third reading.

"An act relative to the village of Athens, in Greene county," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Parker, and by unanimous consent, said bill was ordered to a third reading.

"An act to amend chapter 178 of the Laws of 1869, entitled 'An act to amend an act entitled 'An act to incorporate the village of Moravia, in the county of Cayuga, and to repeal existing laws incorporating said village,' passed March 15, 1859," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Tuthill, and by unanimous consent, said bill was substituted for Assembly bill on same subject.

"An act to authorize the bridge commissioners of the town of Chemung to borrow money to pay the existing indebtedness incurred in building a bridge over the Chemung river, in the town of Chemung, in the county of Chemung," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act for the relief of the Attica and Arcade Railroad Company,"

which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Tozier, and by unanimous consent, said bill was ordered to a third reading.

"An act for the regulation of international exhibitions held under the supervision and auspices of the Government of the United States, within the State of New York, and preventing seizure of articles and goods deposited on exhibition thereat," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Shanley, and by unanimous consent, said bill was ordered to a third reading.

"An act for the better protection of woods and forests," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

"An act to incorporate the National Guard Mutual Relief Association of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

"An act to amend title 3, chapter 3, part 4 of the Revised Statutes, entitled 'Of general provisions applicable to all the prisons treated of in this chapter,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons.

"An act to repeal chapter 606 of the Laws of 1875, entitled 'An act further to provide for the construction and operation of a steam railway or railways in the counties of the State,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Leave of absence was granted to Messrs. Chamberlain, Costello, Shuit and Waterbury.

By unanimous consent,

Mr. Terry offered for the consideration of the House a resolution in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of Assembly bill No. 616, general orders No. 708, entitled "An act to collect and preserve the waters in the upper Hudson river and its tributaries, and to utilize the same for purposes of canal and river navigation in seasons of low water and drouth," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Alvord moved to discharge the committee of the whole from the further consideration of Senate bill entitled "An act to repeal chapter 257 of the Laws of 1863, entitled 'An act in relation to draining certain low lands situate in the towns of Bloominggrove and Chester, in the county of Orange,'" and that said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate returned Assembly bill entitled "An act releasing all the right, title and interest of the people of New York in and to certain tracts or parcels of land to Peter M. Biegen," with a message that they have concurred in the passage of the same, with the following amendments:

Section 2, line 8, of engrossed bill, strike out the word "which" and insert "of;" same section, strike out all after the word "company," in the 9th line.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|----------|-----------------|
| Alvord | Cullinan | McCabe | Sisson |
| Andrews | Curtis | McCarthy | Skinner |
| Baker, C. S. | Davis | Miller | Slingerland |
| Beach | Deane | Mitchell | Steele |
| Beates | Douglass | Mooers | Strait |
| Benedict, E. D. | Duguid | Morgan | Tallmadge |
| Benedict, T. E. | Ellis | Newman | Terpeny |
| Bradley | Ferris | Nowlan | Terry |
| Brennan | Fiske | Parker | Titus |
| Bridges | Gorsline | Peck | Tozier |
| Brodaky | Gray | Phillips | Travis |
| Bullock | Gwinup | Pitcher | Treanor |
| Carpenter, E. A. | Hagan | Potts | Tully |
| Carpenter, I. S. | Havens | Rhodes | Tuthill, H. H. |
| Case | Hayes | Roberts | Tuttle, R. M. |
| Chickering | Hoffman | Root | Van Valkenburgh |
| Childs | Howland | Russell | Varnum |
| Clancy | Husted | Seeley | Wells, D. A. |
| Clark | Kennedy | Shanley | Wells, J. L. |
| Clowes | Lefever | Sheridan | Wren |
| Congdon | Liddle | Sherman | Younge |
| Crapser | Low | Sipp | Mr. Speaker |

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act to protect Central Park, and other public parks and places in the city of New York and the streets bordering on the same, from encroachment by elevated railroads," with a message that they have concurred in the passage of the same, with the following amendments:

Strike out all after the enacting clause and insert the following:

Section 1. It shall not be lawful to grant, use or occupy, for the purpose of an elevated railroad, any street, avenue, public park, area or public place, in that portion of the city of New York lying south of Harlem river and Spuyten Duyvil creek, and north of the southerly line of Fulton street, except the streets, avenues, parks, and public parks in which an elevated railway is now constructed in whole or in part, nor shall any elevated railroad be constructed on the sidewalk of or on State street, from Battery Place to Whitehall street, but the structure of the New York Elevated Railroad Company, now in the Battery Park, may be continued, maintained and used by said company.

Nothing herein contained shall be construed to affect any right heretofore given by the report of the rapid transit commissioners, so called, to any elevated railroad company now operating a railroad to cross the Harlem river, or to approach a point or place of crossing, or to operate, maintain or use any railroad it now has, nor to affect any right now existing in any elevated railroad company to construct,

maintain and use an elevated railroad from Second avenue through River street to Eighth avenue, and from West Broadway to Chatham street, and through Chatham street to Division street. But no elevated railroad shall be hereafter built in the city of New York, north of Harlem river and Spuyten Duyvil creek, except pursuant to chapter 606 of the Laws of 1875.

Nothing in this act contained shall be deemed to take from the Metropolitan Transit Company any of the rights and privileges granted to said company by chapter 833 of the Laws of 1872, except that no elevated railroad, under said act, shall be constructed along Forty-second street or streets bounding Reservoir square or on Broadway or through Morningside park.

§ 2. No railroad, elevated or surface, hereafter constructed, shall run through any park in the city of New York.

§ 3. This act shall take effect immediately.

Amend the title so as to read as follows :

"An act in relation to elevated railroads in the city of New York."

Mr. Mitchell moved to refer said bill to the committee on affairs of cities, and that said bill be ordered printed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Pursuant to ninth joint rule, Mr. Speaker announced the order of business third reading of bills.

The bill entitled "An act in relation to the highways of this State of certain width," being announced for a third reading,

Mr. Russell moved to commit said bill to the committee on railroads, and that said bill be ordered printed.

Mr. Speaker put the question whether the House would agree to the motion of Mr. Russell, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 62 }
{ NOES 30 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|----------|-----------------|
| Alvord | Clowes | Mead | Skinner |
| Andrews | Congdon | Miller | Strait |
| Baker, O. S. | Curtis | Mitchell | Tallmadge |
| Beach | Dougherty | Mooers | Terpeny |
| Beates | Douglass | Morgan | Terry |
| Benedict, E. D. | Duguid | Newman | Thilemann |
| Benedict, T. E. | Ellis | O'Brien | Tozier |
| Bennett | Griggs | Parker | Treanor |
| Brodsky | Gwinup | Potts | Tully |
| Bullock | Hagan | Rhodes | Tuttle, R. M. |
| Case | Havens | Sanders | Van Valkenburgh |
| Chase | Hayes | Shanley | Walsh |
| Chickering | Hoffman | Shuit | Wells, D. A. |
| Childs | McAvoy | Sipp | Weston |
| Clancy | McDonald | Sisson | Wiley |
| Clark | McTernan | | |

Those who voted in the negative, were

| | | | |
|---------|-------|---------|--------|
| Brennan | Duell | Lindsay | Seeley |
|---------|-------|---------|--------|

| | | | |
|------------------|----------|----------|----------------|
| Bridges | Evans | Nowlan | Sherman |
| Carpenter, E. A. | Fiske | Phillips | Slingerland |
| Cornstock | Gorsline | Pitcher | Tuthill, H. H. |
| Cookinham | Gray | Roberts | Varnum |
| Crapser | Kennedy | Root | Wells, J. L. |
| Cullinan | Lefever | Russell | Wren |
| Davis | Liddle | | |

Mr. Shanley moved to reconsider the vote by which said bill was lost, and that the motion do lay upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill entitled "An act to amend chapter 249 of the Laws of 1864, entitled 'An act to amend an act entitled 'An act to provide for the incorporation of villages, passed December 7, 1847, and the several acts amendatory thereof, so far as the same relate to the village of New Rochelle, in the county of Westchester, and the several acts amendatory thereof,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly voting in favor thereof, three-fifths of said members not being present.

{ AYES 66 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|----------|----------|---------------|
| Alvord | Cullinan | Lefever | Russell |
| Andrews | Curtis | Low | Sanders |
| Baker, B. F. | Davis | McAvoy | Seeley |
| Baker, C. S. | Douglass | McCabe | Shanley |
| Beach | Ellis | Mead | Sipp |
| Beates | Evans | Miller | Sisson |
| Benedict, E. D. | Fiske | Mitchell | Skinner |
| Benedict, T. E. | Gorsline | Mooers | Slingerland |
| Bennett | Gray | Newman | Strait |
| Bridges | Griggs | Nowlan | Terry |
| Bullock | Gwinup | Peck | Thilemann |
| Case | Hagan | Phillips | Tozier |
| Childs | Havens | Pitcher | Travis |
| Clowes | Hayes | Potts | Treanor: |
| Congdon | Hoffman | Roberts | Tuttle, R. M. |
| Cookinham | Howland | Root | Wren |
| Crapser | Husted | | |

The bill entitled "An act to amend chapter 367 of the Laws of 1878, entitled 'An act to amend chapter 107 of the Laws of 1878, entitled 'An act requiring justices of the peace to give bonds,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|--------------|-----------|--------|---------|
| Andrews | Dougherty | Liddle | Russell |
| Baker, C. S. | Douglass | Low | Seeley |
| Beach | Duell | McAvoy | Shanley |

| | | | |
|-----------------|----------|----------|-----------------|
| Beates | Duguid | McCabe | Sherman |
| Benedict, E. D. | Ellis | McCarthy | Sipp |
| Benedict, T. E. | Evans | McDonald | Sisson |
| Bradley | Ferris | Mead | Skinner |
| Bridges | Fiske | Miller | Slingerland |
| Bullock | Gorsline | Mitchell | Strait |
| Case | Gray | Mooers | Tallmadge |
| Chase | Griggs | Newman | Terry |
| Chickering | Gwinup | Nowlan | Titus |
| Childs | Hagan | Parker | Tozier |
| Clowes | Havens | Peck | Travis |
| Comstock | Hayes | Phillips | Treanor |
| Congdon | Hoffman | Pitcher | Tully |
| Cookinham | Howland | Potts | Tuthill, H. H. |
| Crapser | Husted | Rhodes | Tuttle, R. M. |
| Cullinan | Kennedy | Roberts | Van Valkenburgh |
| Curtis | Lefever | Root | Wells, J. L. |
| Davis | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Bradley moved to take from the table the motion to reconsider the vote by which Assembly bill entitled "An act to amend chapter 249 of the Laws of 1864, entitled 'An act to amend an act entitled 'An act to provide for the incorporation of villages, passed December 7, 1847, and the several acts amendatory thereof, so far as the same relate to the village of New Rochelle, in the county of Westchester, and the several acts amendatory thereof,'" was lost.

Mr. Speaker put the question whether the House would agree to take said bill from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 85 }
 } NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Davis | McDonald | Sipp |
| Andrews | Dougherty | McTernan | Sisson |
| Baker, B. F. | Douglass | Mead | Skinner |
| Baker, O. S. | Duell | Miller | Slingerland |
| Beach | Ellis | Mitchell | Strait |
| Beates | Evans | Mooers | Tallmadge |
| Benedict, E. D. | Ferris | Newman | Terry |
| Benedict, T. E. | Gorsline | Nowlan | Titus |
| Bradley | Gray | Parker | Tozier |
| Bridges | Griggs | Peck | Travis |
| Brodsky | Gwinup | Phillips | Tully |
| Bullock | Hagan | Pitcher | Tuthill, H. H. |
| Carpenter, E. A. | Hayes | Potts | Tuttle, R. M. |
| Case | Hoffman | Roberts | Van Valkenburgh |
| Chase | Kennedy | Root | Walsh |
| Clark | Lefever | Russell | Wells, D. A. |
| Comstock | Liddle | Sanders | Wells, J. L. |
| Congdon | Lindsay | Seeley | Weston |
| Cookinham] | Low | Shanley | Wiley |

Crapser
Cullinan
Curtis

McAvoy
McCabe

Sheridan
Sherman

Wren
Youngs

On motion of Mr. Alvord, and by unanimous consent, said bill was amended as follows:

Insert in section 1, line 28, after the word "year" the words "during this and the next two years, and after that period \$6,000 each year as now limited by the charter." In same section, line 31, after the word "village" the words "one-third of which shall be specifically set apart and annually expended upon the roads lying north of the New York, New Haven and Hartford Railroad, and to secure economy all contracts and other expenditures on the public roads shall in future be open to competition, so that the hire of teams, wages of daily labor, and expenditures of every kind, by contract or otherwise, shall in no case, at any time, exceed the current price or compensation prevailing in the community."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 96 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|----------|-----------------|
| Alvord | Cullinan | McAvoy | Sheridan |
| Andrews | Curtis | McCabe | Sherman |
| Baker, B. F. | Davis | McCarthy | Sipp |
| Baker, C. S. | Deane | McDonald | Sisson |
| Beach | Douglass | McTernan | Skinner |
| Beates | Duell | Mead | Slingerland |
| Benedict, E. D. | Ellis | Miller | Steele |
| Benedict, T. E. | Evans | Mitchell | Strait |
| Bennett | Ferris | Mooers | Tallmadge |
| Bradley | Fiske | Morgan | Terry |
| Bridges | Gorsline | Newman | Titus |
| Brodsky | Gray | Nowlan | Tozier |
| Bullock | Griggs | Parker | Travis |
| Carpenter, E. A. | Grosse | Peck | Treanor |
| Carpenter, I. S. | Gwinup | Phillips | Tully |
| Case | Havens | Pitcher | Tuthill, H. H. |
| Chickering | Hayes | Potts | Tuttle, R. M. |
| Childs | Hoffman | Rhodes | Van Valkenburgh |
| Clancy | Husted | Roberts | Walsh |
| Clowes | Kennedy | Root | Wells, D. A. |
| Comstock | Lefever | Russell | Wells, J. L. |
| Congdon | Liddle | Sanders | Weston |
| Cookinham | Lindsay | Seeley | Wren |
| Crapser | Low | Shanley | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Governor, through the hands of his private secretary, was received and read in the words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }
ALBANY, May 14, 1880. }

To the Assembly:

Assembly bill, not printed, entitled "An act to prohibit the mayor

and common council of the city of Brooklyn from authorizing any railroad corporation to construct its road upon any portion of Water street in said city, not named in the charter of such railroad corporation," is herewith returned without approval.

The object of this bill is to take from the mayor and common council of the city of Brooklyn authority vested in them by chapter 585 of the Laws of 1874, to change the route of the elevated railway created by that act, to streets which they should deem more suitable for carrying out the objects contemplated therein.

The consideration of a change of the route is now pending in the common council, and it cannot be doubted that the members of that body are quite competent to deal with the question intelligently. They have full opportunity to examine the subject in all of its details, and should be permitted to act upon it according to the merits of all interests involved.

The case would be very different if the common council had not already proceeded to act under the existing authority. If it were merely a question of changing the conditions under which the mayor and common council might act, before taking cognizance of the matter, there could perhaps be no serious objections to the proposition. In view of the present circumstances, however, it seems to me interference with the pending action of the local authorities is wholly unwarranted.

(Signed)

ALONZO B. CORNELL.

Mr. Clancy moved that the message be laid on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill entitled "An act to amend and consolidate an act entitled 'An act to incorporate the village of Cambridge, passed April 16, 1866, and the several acts amending and supplementing the same,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 100 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-------------|
| Alvord | Curtis | McAvoy | Sherman |
| Andrews | Davis | McCabe | Sipp |
| Baker, B. F. | Dougherty | McCarthy | Sisson |
| Baker, C. S. | Douglass | McDonald | Skinner |
| Beach | Duell | McTernan | Slingerland |
| Beates | Duguid | Mead | Steele |
| Benedict, E. D. | Ellis | Miller | Strait |
| Benedict, T. E. | Evans | Mitchell | Tallmadge |
| Bradley | Ferris | Moors | Terpeny |
| Brennan | Fiske | Morgan | Terry |
| Bridges | Gorsline | Newman | Thilemann |
| Brodsky | Gray | Nowlan | Titus |
| Bullock | Griggs | Parker | Tozier |
| Carpenter, I. S. | Grosse | Peck | Travis |

| | | | |
|------------|---------|----------|-----------------|
| Oase | Gwinup | Phillips | Treanor |
| Chase | Havens | Pitcher | Tully |
| Chickering | Hayes | Potts | Tuthill, H. H. |
| Childs | Hoffman | Rhodes | Tuttle, R. M. |
| Clark | Howland | Roberts | Van Valkenburgh |
| Clowes | Husted | Root | Varnum |
| Comstock | Kennedy | Russell | Walsh |
| Congdon | Lefever | Sanders | Warner |
| Cookinham | Liddle | Seeley | Wells, D. A. |
| Crapser | Lindsay | Shanley | Wells, J. L. |
| Cullinan | Low | Sheridan | Wiley |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to enable subordinate councils of the Royal Arcanum in the State of New York to take, hold and convey real and personal estate, and to exercise other powers," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|---------------|
| Alvord | Curtis | Liddle | Shanley |
| Andrews | Davis | Lindsay | Sheridan |
| Baker, B. F. | Deane | Low | Sherman |
| Baker, O. S. | Douglass | McCabe | Sipp |
| Beach | Duell | McCarthy | Sisson |
| Beates | Duguid | Miller | Skinner |
| Benedict, E. D. | Ellis | Mitchell | Slingerland |
| Benedict, T. E. | Evans | Mooers | Steele |
| Bennett | Ferris | Morgan | Tallmadge |
| Bradley | Fish | Newman | Terpeny |
| Bridges | Gibbs | Nowlan | Terry |
| Brodsky | Gorsline | O'Connor | Thilemann |
| Bullock | Gray | Parker | Titus |
| Carpenter, E. A. | Hagan | Peck | Tozier |
| Carpenter, I. S. | Havens | Phillips | Travis |
| Chase | Hayes | Potter | Tully |
| Chickering | Hoffman | Potts | Tuttle, R. M. |
| Childs | Howland | Rhodes | Waterbury |
| Clark | Husted | Roberts | Wells, D. A. |
| Clowes | Ingersoll | Root | Wells, J. L. |
| Comstock | Kennedy | Russell | Weston |
| Crapser | Lefever | Seeley | Wren |
| Cullinan | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to encourage improvement in steam propulsion upon the Champlain canal," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }
{ NOES 2 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Curtis | Lindsay | Seeley |
| Andrews | Davis | Low | Sheridan |
| Baker, B. F. | Deane | McCabe | Sherman |
| Baker, C. S. | Douglass | McCarthy | Sipp |
| Beach | Duell | Mead | Sisson |
| Beates | Duguid | Miller | Skinner |
| Benedict, E. D. | Ellis | Mitchell | Slingerland |
| Bennett | Evans | Mooers | Steele |
| Bridges | Ferris | Morgan | Tallmadge |
| Brodsky | Fiske | Newman | Terpeny |
| Bullock | Gibbs | Nowlan | Terry |
| Carpenter, E. A. | Gorsline | O'Connor | Titus |
| Carpenter, I. S. | Gray | Parker | Tozier |
| Case | Gwinup | Peck | Travis |
| Chase | Havens | Phillips | Treanor |
| Childs | Hayes | Pitcher | Tully |
| Clancy | Hoffman | Potter | Tuthill, H. H. |
| Clark | Howland | Potts | Tuttle, R. M. |
| Clowes | Husted | Rhodes | Walsh |
| Comstock | Ingersoll | Roberts | Waterbury |
| Congdon | Kennedy | Root | Wells, D. A. |
| Crapser | Lefever | Russell | Wells, J. L. |
| Cullinan | Liddle | Sanders | Weston |

Those who voted in the negative, were

Benedict, T. E. Cookinham

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 774 of the Laws of 1872, entitled 'An act to incorporate the fire department of the village of Watkins,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|----------|----------------|
| Alvord | Crapser | Lefever | Sheridan |
| Andrews | Cullinan | Liddle | Sherman |
| Baker, B. F. | Curtis | Lindsay | Sipp |
| Baker, C. S. | Cushing | Low | Sisson |
| Beach | Davis | McCabe | Skinner |
| Beates | Deane | McCarthy | Slingerland |
| Benedict, T. E. | Duell | Miller | Steele |
| Bennett | Duguid | Mitchell | Tallmadge |
| Bradley | Ellis | Mooers | Terpeny |
| Bridges | Evans | Morgan | Terry |
| Brodsky | Fish | Newman | Thilemann |
| Bullock | Fiske | Nowlan | Tozier |
| Carpenter, E. A. | Gillette | Parker | Travis |
| Carpenter, I. S. | Gorsline | Peck | Treanor |
| Case | Gray | Phillips | Tuthill, H. H. |
| Chase | Grosse | Pitcher | Tuttle, R. M. |

| | | | |
|------------|-----------|---------|-----------------|
| Chickering | Hagan | Potter | Van Valkenburgh |
| Childs | Hayes | Potts | Varnum |
| Clancy | Hoffman | Roberts | Waterbury |
| Clark | Howland | Root | Wells, D. A. |
| Clowes | Husted | Russell | Wells, J. L. |
| Comstock | Ingersoll | Sanders | Weston |
| Congdon | Kennedy | Shanley | Wren |
| Cookinham | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the relief of Peter Kehr, John A. Kellner and Louis Ott," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Curtis | Lindsay | Sheridan |
| Andrews | Cushing | Low | Sherman |
| Baker, B. F. | Davis | McAvoy | Sipp |
| Baker, C. S. | Deane | McCabe | Sisson |
| Beach | Douglass | McCarthy | Skinner |
| Beates | Duell | McDonald | Slingerland |
| Benedict, E. D. | Duguid | Miller | Steele |
| Benedict, T. E. | Ferris | Mitchell | Tallmadge |
| Bennett | Fish | Mooers | Terpeny |
| Brennan | Fiske | Morgan | Terry |
| Brodsky | Gibbs | Newman | Thilemann |
| Bullock | Gorsline | Nowlan | Titus |
| Carpenter, I. S. | Gray | Parker | Tozier |
| Case | Griggs | Peck | Travis |
| Chase | Gwinup | Phillips | Tully |
| Chickering | Hagan | Pitcher | Tuthill, H. H. |
| Childs | Havens | Potter | Tuttle, R. M. |
| Clark | Hayes | Potts | Van Valkenburgh |
| Clowes | Hoffman | Roberts | Varnum |
| Comstock | Husted | Root | Waterbury |
| Congdon | Ingersoll | Russell | Wells, D. A. |
| Cookinham | Kennedy | Sanders | Wells, J. L. |
| Crapser | Lefever | Seeley | Wren |
| Cullinan | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to authorize the agent and warden of Clinton prison to make certain contracts for the benefit of the State," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|--------------|----------|---------|---------|
| Alvord | Cullinan | Lefever | Sanders |
| Baker, B. F. | Curtis | Liddle | Seeley |

| | | | |
|------------------|-----------|----------|-----------------|
| Baker, C. S. | Davis | Lindsay | Sheridan |
| Beach | Deane | Low | Sherman |
| Beates | Douglass | McAvoy | Sipp |
| Benedict, E. D. | Duguid | McCabe | Sisson |
| Benedict, T. E. | Ellis | McCarthy | Skinner |
| Bradley | Evans | Miller | Steele |
| Brennan | Ferris | Mitchell | Tallmadge |
| Brodsky | Fiske | Mooers | Terpeny |
| Bullock | Gibbs | Morgan | Terry |
| Carpenter, E. A. | Gorsline | Newman | Thilemann |
| Carpenter, I. S. | Gray | Nowlan | Titus |
| Case | Gwinup | Parker | Tozier |
| Chase | Hagan | Peck | Travis |
| Chickering | Havens | Phillips | Tuthill, H. H. |
| Clark | Hayes | Pitcher | Tuttle, R. M. |
| Clowes | Hoffman | Potts | Van Valkenburgh |
| Comstock | Howland | Rhodes | Wells, D. A. |
| Congdon | Husted | Roberts | Wells, J. L. |
| Cookinham | Ingersoll | Root | Weston |
| Crapser | Kennedy | Russell | Wren |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same, with amendments.

A message was received from the Governor, in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }
ALBANY, May 11, 1880. }

To the Assembly:

In accordance with a joint resolution of the Senate and Assembly, Assembly bill No. 431, entitled "An act authorizing the village of Wellsville, New York, to appropriate portions of its highway moneys to the laying of stone sidewalks," is herewith returned for amendment.

ALONZO B. CORNELL

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Davis | McAvoy | Sipp |
| Andrews | Deane | McCabe | Sisson |
| Baker, B. F. | Dougherty | McCarthy | Skinner |
| Baker, C. S. | Douglass | Miller | Slingerland |
| Beach | Duguid | Mitchell | Steele |
| Beates | Ellis | Mooers | Strait |
| Benedict, E. D. | Ferris | Morgan | Tallmadge |
| Benedict, T. E. | Fiske | Newman | Terpeny |
| Bennett | Gorsline | Nowlan | Terry |
| Bradley | Gray | Parker | Titus |
| Brodsky | Grosse | Peck | Tozier |
| Bullock | Hagan | Phillips | Travis |
| Carpenter, E. A. | Havens | Pitcher | Treanor |
| Carpenter, I. S. | Hayes | Potts | Tuthill, H. H. |
| Chase | Hoffman | Rhodes | Tuttle, R. M. |
| Chickering | Howland | Roberts | Van Valkenburgh |
| Childs | Husted | Root | Varnum |

| | | | |
|----------|-----------|----------|--------------|
| Clark | Ingersoll | Russell | Wells, D. A. |
| Clowes | Kennedy | Seeley | Wells, J. L. |
| Comstock | Lefever | Shanley | Weston |
| Congdon | Liddle | Sheridan | Wren |
| Cullinan | Low | Sherman | Youngs |
| Curtis | | | |

On motion of Mr. Morgan, and by unanimous consent, said bill was amended in words following:

Strike out all after the enacting clause, and insert the following:

Section 1. Chapter 293 of the Laws of 1876, entitled "An act empowering the village of Wellsville to raise by tax a fund for the building of sidewalks," is hereby amended by adding thereto the two following sections:

§ 2. Any owner of lands contiguous to a public street, in the village of Wellsville, may notify the board of trustees of said village, in writing, that he desires to lay a stone sidewalk in front of such lands, under the provisions of this act. Upon receiving such notice, the said board may, by resolution, prescribe the width, grade, material and manner of building of such sidewalk, and at the time within which the same shall be completed. They may, also, provide by resolution in each case, that a portion of the expense of such sidewalk, to be by them determined, but in no case to exceed one-half, shall be paid by the village of Wellsville.

§ 3. Upon completing such sidewalk in the manner and time prescribed, such person shall be repaid the portion of the expense assumed by said village, as follows: Each year, for five successive years thereafter, such person shall be credited on the highway tax assessed on any lands in said village against him or her, the one-fifth part of the sum so assessed by said village, and he or she shall receive a certificate signed by the president and clerk of the village, stating that he or she is entitled to such credit. Such certificate shall be assignable, and the assignee shall be entitled to like credit upon any highway tax assessed against him or her. But said village shall not be liable to pay any sum for laying stone sidewalks, except in the manner herein provided.

§ 4. This act shall take effect immediately.

Amend the title so as to read as follows:

"An act to amend chapter 293 of the Laws of 1876, entitled 'An act empowering the village of Wellsville to raise by tax a fund for the building of sidewalks.'"

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|----------|-----------|
| Alvord | Curtis | Lindsay | Sipp |
| Andrews | Davis | Low | Sisson |
| Baker, B. F. | Deane | McAvoy | Skinner |
| Baker, C. S. | Dougherty | McCarthy | Steele |
| Beach | Duell | Miller | Tallmadge |
| Beates | Duguid | Mitchell | Terpeny |
| Benedict, E. D. | Ellis | Mooers | Terry |

| | | | |
|------------------|------------|----------|-----------------|
| Benedict, T. E. | Evans | Morgan | Thilemann |
| Bennett | Ferris | Newman | Titus |
| Bridges | Fiske | Nowlan | Tozier |
| Brodsky | Fitzgerald | Parker | Travis |
| Bullock | Gorsline | Peck | Treanor |
| Carpenter, E. A. | Gray | Phillips | Tuthill, H. H. |
| Carpenter, I. S. | Griggs | Pitcher | Tuttle, R. M. |
| Chase | Hagan | Potts | Van Valkenburgh |
| Chickering | Havens | Rhodes | Varnum |
| Clark | Hayes | Root | Waterbury |
| Clowes | Husted | Russell | Wells, D. A. |
| Comstock | Ingersoll | Sanders | Wells, J. L. |
| Congdon | Kennedy | Shanley | Weston |
| Cookinham | Lefever | Sheridan | Wren |
| Crapser | Liddle | Sherman | Youngs |
| Cullinan | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A message was received from the Governor in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }
ALBANY, May 13, 1880. }

To the Assembly:

¶ Pursuant to a joint resolution of the Senate and Assembly, Assembly bill No. 491, entitled "An act to prohibit the erection, construction, maintenance or operation of elevated railways, or extensions thereof, in certain streets or avenues in the city of Brooklyn and county of Kings," is herewith returned for amendment.

ALONZO B. CORNELL.

Mr. Tallmadge moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 90 }
{ NOES 00 }.

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|-----------------|
| Alvord | Curtis | Lindsay | Sheridan |
| Andrews | Cushing | Low | Sherman |
| Baker, B. F. | Davis | McAvoy | Sipp |
| Baker, C. S. | Deane | McCabe | Skinner |
| Beach | Dougherty | McCarthy] | Steele |
| Beates | Douglass | Miller | Tallmadge |
| Benedict, E. D. | Duell | Mitchell | Terpeny |
| Benedict, T. E. | Ellis | Mooers | Terry |
| Bennett | Evans | Morgan | Thilemann |
| Bradley | Ferris | Newman | Titus |
| Bridges | Fiske | Nowlan | Tozier |
| Brodsky | Gorsline | Parker | Travis |
| Bullock | Gray | Peck | Treanor |
| Carpenter, E. A. | Grosse | Phillips | Tully |
| Carpenter, I. S. | Hagan | Pitcher | Tuthill, H. H. |
| Chase | Havens | Potts | Tuttle, R. M. |
| Chickering | Hayes | Rhodes | Van Valkenburgh |
| Childs | Howland] | Roberts | Varnum |
| Clowes | Husted | Root | Waterbury |

| | | | |
|----------|-----------|---------|--------------|
| Comstock | Ingersoll | Russell | Wells, D. A. |
| Congdon | Kennedy | Sanders | Wells, J. L. |
| Crapser | Lefever | Seeley | Wren |
| Cullinan | Liddle | | |

On motion of Mr. Tallmadge, and by unanimous consent, said bill was amended as follows:

Section 1, line 2, strike out all after the word "through" and insert as follows: "any street or avenue in the city of Brooklyn, county of Kings, except upon the condition that the consent of the owners of one-half in value the property bounded on, and the consent also of the local authorities having the control of that portion of the street or avenue upon which it is proposed to construct or operate such railroad be first obtained, or in case the consent of such property owners cannot be obtained, the general term of the Supreme Court, in the district in which it is proposed to be constructed, may, upon application, appoint three commissioners, who shall determine, after a hearing of all parties interested, whether such railroad ought to be constructed or operated, and their determination, confirmed by the court, may be taken in lieu of the consent of the property owners.

Also, amend title so it shall read as follows:

"An act in relation to the erection, construction, maintenance and operation of elevated railroads or extensions thereof, in the streets or avenues in the city of Brooklyn and county of Kings."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Cullinan | Lindsay | Sheridan |
| Andrews | Curtis | Low | Sherman |
| Baker, B. F. | Davis | McAvoy | Sipp |
| Baker, C. S. | Deane | McCabe | Slingerland |
| Beach | Dougherty | McCarthy | Steele |
| Beates | Douglass | Miller | Tallmadge |
| Benedict, E. D. | Ellis | Mitchell | Terpeny |
| Benedict, T. E. | Evans | Moore | Terry |
| Bennett | Ferris | Morgan | Thilemann |
| Bradley | Fiske | Newman | Titus |
| Brennan | Gibbs | Nowlan | Tozier |
| Brodsky | Gorsline | Parker | Travis |
| Bullock | Gray | Peck | Tully |
| Carpenter, I. S. | Hagan | Phillips | Tuthill, H. H. |
| Chase | Havens | Pitcher | Tuttle, R. M. |
| Chickering | Hayes | Potts | Varnum |
| Clark | Hoffman | Rhodes | Waterbury |
| Clowes | Husted | Roberts | Wells, D. A. |
| Comstock | Ingersoll | Root | Wells, J. L. |
| Congdon | Kennedy | Russell | Weston |
| Cookinham | Lefever | Sanders | Wren |
| Crapser | Liddle | Seeley | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

Mr. Hayes moved that bill No. 627, entitled "An act for the excavating, tunneling and bridging for transportation purposes within villages and cities of the State," be considered in the same committee of the whole, with the special orders heretofore set down for to-day.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act relating to certain improvements in the city of New York."

"An act to provide for excavating, tunneling and bridging for transportation purposes within villages and cities of this State."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Tuthill, from said committee, reported progress on said bills, and asked and obtained leave to sit again.

Mr. Husted moved to discharge the committee of the whole from the further consideration of the first named bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

{ AYES 56 }
{ NOES 20 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|-----------------|
| Alvord | Comstock | Ingersoll | Root |
| Andrews | Cookinham | Liddle | Russell |
| Baker, C. S. | Curtis | Low | Tallmadge |
| Beach | Davis | McCabe | Terry |
| Benedict, E. D. | Deane | Miller | Titus |
| Bradley | Douglass | Mitchell | Tozier |
| Bridges | Duell | Morgan | Travis |
| Brodsky | Evans | Nowlan | Tuttle, R. M. |
| Bullock | Fiske | Parker | Van Valkenburgh |
| Carpenter, E. A. | Griggs | Peck | Varnum |
| Case | Grosse | Phillips | Wells, J. L. |
| Chickering | Hagan | Pitcher | Wren |
| Clark | Hayes | Potts | Youngs |
| Clowes | Husted | Roberts | Mr. Speaker |

Those who voted in the negative, were

| | | | |
|-----------------|----------|----------|-----------|
| Benedict, T. E. | Gwinup | McDonald | Thilemann |
| Clancy | Havens | McTernan | Treanor |
| Dougherty | Hoffman | Rhodes | Tully |
| Duguid | McAvoy | Skinner | Walsh |
| Fitzgerald | McCarthy | Terpeny | Wiley |

Mr. Husted moved to recommit said bill to the committee on affairs of cities, with instructions to report at any time, retaining its place on order of third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Hayes moved to discharge the committee of the whole from the further consideration of the second named bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Alvord moved to lay all orders of business on the table, for the purpose of taking up order of business reports of standing committees.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Bridges (introductory No. 1179), entitled "An act to legalize the official acts of Henry G. Wood, a notary public," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Bridges, and by unanimous consent, said bill was ordered to a third reading.

Mr. Terry, from the committee on the judiciary, to which was referred the preamble and resolution introduced by Mr. Youngs, reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate concurrent resolution (introductory No. 285), proposing an amendment to section 12 of article six of the Constitution, reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Roberts, and by unanimous consent, said bill was ordered to a third reading.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 238), entitled "An act to extend the operation and effect of the act passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,'" reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Travis, and by unanimous consent, said bill was ordered to a third reading.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 252), entitled "An act to provide redress for injuries from defective highways," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 167), entitled "An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 144), entitled "An act to amend the Law of Evidence," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 276), entitled "An act to amend chapter 717 of the Laws of 1870, entitled 'An act to authorize the sale of real estate in which any widow is or shall be entitled to dower in satisfaction and discharge thereof,'" reported in favor of the

passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 236), entitled "An act to amend chapter 27 of the Laws of 1875, entitled 'An act to designate the holidays to be observed in the acceptance and payment of bills of exchange, bank checks and promissory notes,'" reported adversely thereto, which report was agreed to.

Mr. Terry, from the committee on the judiciary, to which was recommended the Senate bill (introductory No. 531), entitled "An act to amend section 82, article 3, title 4, chapter 2, part 4 of the Revised Statutes, relating to removing indictments to the Supreme Court from courts of oyer and terminer," reported in favor of the passage of the same, with amendments, which report was agreed to and said bill replaced on order of third reading.

By unanimous consent,

Mr. Wren offered for the consideration of the House a resolution in the words following:

Resolved, That Senate bill No. 50, general orders No. 645, entitled "An act to provide for the appointment of a board of elections and of registers, canvassers, inspectors and poll clerks in the city of Brooklyn, and to fix their compensation," be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 114), entitled "An act to prevent public exhibitions of women as pedestrians," reported adversely thereto, which report was agreed to.

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 279), entitled "An act to facilitate the distribution and division of the estate of George Bright, deceased," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Mitchell, and by unanimous consent, said bill was ordered to a third reading.

Mr. Tozier, from the committee on general laws, to which was referred the bill introduced by Mr. Tozier (introductory No. 1196), entitled "An act to incorporate the Knights of the Maccabees of the World," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Tozier, and by unanimous consent, said bill was ordered to a third reading.

Mr. Tozier, from the committee on general laws, to which was referred the Senate concurrent resolution (introductory No. 307), entitled "Concurrent resolution proposing an amendment to section 1 of article 2 of the Constitution," reported in favor of the passage of the same, which report was agreed to and said resolution committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Duell (introductory No. 1187), entitled "An act to provide for the revision of the local and special laws affecting public interest in the city of New York," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Varnum (introductory No. 1008), entitled "An act relating to certain assessments for local improvements in the city of New York," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Varnum, and by unanimous consent, said bill was ordered to a third reading and printed.

Mr. Skinner, from the committee on railroads, to which was referred the bill introduced by Mr. Cullinan (introductory No. 1199), entitled "An act to authorize the postponement of the levy of a tax to pay bonds issued by the town of Volney, Oswego county, in aid of the New York and Midland Railroad," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Baker, from the committee on insurance, to which was referred the Senate bill (introductory No. 291), entitled "An act to require life insurance companies to attach a copy of all applications for insurance to policies issued by such companies," reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the following bills :

"An act to amend and consolidate an act entitled 'An act to incorporate the village of Cambridge, passed April 16, 1866, and the several acts amending and supplementing the same.'"

"An act to incorporate the Empire Yacht Club of the city of New York."

"An act providing for the holding of the annual town meeting of the town of Esopus at three polls."

"An act for the better laying out and improving of that portion of the city of New York, between 144th and 155th streets, west of 8th avenue, and that other portion of said city between 10th avenue and Avenue St. Nicholas and 138th street continued, and the lands of the Female Academy of the Sacred Heart and 135th street continued."

"An act to legalize the action of the town meeting of the town of DeKalb, in the county of St. Lawrence, held February 10, 1880, and the action of the board of town auditors of said town of DeKalb, had February 19, 1880, in issuing a certificate of indebtedness of said town to Andrew Wight and Agnes Wight, and for damages sustained by the falling of a bridge in said town, pursuant to a resolution passed at said town meeting."

"An act establishing an agricultural experiment station."

"An act to amend chapter 27 of the Laws of 1876, entitled 'An act to further amend chapter 681 of the Laws of 1873, entitled 'An act to establish communication between Richmond county and New Jersey, incorporating the Tubular Transit Company of Staten Island.'"

A message from the Senate was received and read, informing of concurrence in the bills entitled as follows:

"An act to release to Louisa Dodge, Charles Dodge, Edward Dodge, William J. Dodge and Elizabeth King, wife of William King, the interest of the People of the State of New York in and to certain real estate in the village of Gloversville, county of Fulton, of which Charles Dodge died seized."

"An act to establish a cemetery in the town of Long Lake, Hamilton county."

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned Senate bill entitled "An act relating to certain local improvements in the city of New York," with a message that they have concurred in the amendment made therein in the Assembly.

Ordered, That the Clerk return said bill to the Senate.

By unanimous consent,

Mr. Sanders offered for the consideration of the House a resolution in the words following:

Resolved, That the committee on affairs of villages be discharged from the further consideration of the bill introduced by Mr. Low, "In relation to the appointment of a police justice of the village of Niagara Falls," and that said bill be referred to the committee on the judiciary.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Skinner moved that this House do now adjourn to meet on Monday evening at seven o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

By unanimous consent,

Mr. Cookinham offered for the consideration of the House a resolution in the words following:

Resolved, That Assembly bill No. 563, entitled "An act to amend the act entitled 'An act to revise the charter of the city of Utica, passed February 28, 1862, as amended by the act entitled 'An act to amend chapter 18 of the Laws of 1862, entitled 'An act to revise the charter of the city of Utica, passed May 20, 1876,'" be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

On motion of Mr. Alvord, and at one o'clock and fifty minutes, the House adjourned.

MONDAY EVENING, MAY 17, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Albert Foster.

The journal of Friday was read and approved.

Mr. Alvord moved that this House do now take a recess until seven o'clock and thirty minutes.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

*HALF-PAST SEVEN.

The House again met.

The Private Secretary of the Governor appeared before the bar of the House and presented a message in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }
ALBANY, May 17, 1880.

To the Senate:

It is my painful duty to announce to the Legislature the death of the Chief Judge of the Court of Appeals. On Friday, the 14th instant, at his home in the village of Albion, Sanford E. Church passed from this life, without note or warning. Almost in the twinkling of an eye the strong man was summoned while in active discharge of his official duties, into the presence of his Maker, the Great Judge of all. The tidings of his death have been everywhere received by the people with profoundest sorrow. Expressions denoting a deep sense of the great loss that has befallen the State are universal and unchallenged.

For nearly forty years Judge Church has been a conspicuous figure in the public affairs of the State. Possessing superior ability, an untiring devotion to duty, combined with high character and unquestioned integrity, he early secured the confidence of the people, and maintained it throughout his long and eventful career. Positive, fearless and consistent in his political course, and faithful to those who shared his views, he merited and enjoyed the favor of his party in a remarkable degree. In official service his record is an enviable one. As member of the Assembly, District Attorney, Lieutenant-Governor, Comptroller, member of the Constitutional Convention, and Chief Judge of the Court of Appeals, he acquitted himself with unusual credit. In every capacity or association he uniformly proved himself to be a leader of men. At the bar, in the councils of his party, and in all deliberative bodies, he occupied a place in the front rank, wielding an influence inferior to none, and equaled by few. In social life, his genial manners made him always a welcome guest, while the purity of his private life and the happiness of his domestic relations present a symmetry of character and an example worthy of emulation.

Called by the people to preside over our highest court just ten years ago to-day, Judge Church discharged his great trust with eminent success and fidelity. His former partisanship caused him, perhaps, in the beginning to be distrusted by many of opposite political opinions, but his impartiality and patriotic bearing soon dispelled every doubt; and it can now be truthfully said that never in the history of our State has the Appellate Court enjoyed the confidence of the people in a higher degree than during the period of his service as the presiding judge.

The awful suddenness with which this distinguished career has been arrested furnishes an admonition which we may well heed. By this mysterious dispensation of Providence should we not be warned again of the uncertainty of life? Although sudden deaths are of almost daily occurrence, it is only when a prominent life is thus removed that we pause for contemplation. Seldom is the nearness of the dreaded messenger so forcibly illustrated as in this instance. In a single hour this learned man, devoting his mind to the solution of legal questions, is changed into inanimate clay! A happy family, secure in the affections of a kind husband and fond parent, is plunged into the deepest affliction and bereavement!

Believing that the eminent character and distinguished public services of this statesman and jurist render his memory worthy of especial consideration, you are recommended to take such action as shall seem

appropriate, and to make suitable record of the appreciation by a grateful people of the devoted and intelligent labors of a faithful public servant.

ALONZO B. CORNELL.

Mr. Alvord offered for the consideration of the House a resolution in the words following:

We, the representatives of the people of this State, bow with submission, but with deep sorrow, to the sad and sudden bereavement occasioned us by the death of Sanford E. Church.

A profound and able jurist: as Chief Judge of the Court of Appeals, his decisions challenge and receive the approbation of all men. A statesman: his record as Legislator, Lieutenant-Governor, Comptroller, and head of the finance committee of the last Constitutional Convention, is a bright and enduring monument to his skill, energy, foresight, unquestioned ability, and, above all, to his great purity of thought and action.

In his daily intercourse with his fellow-men, dignity was not lowered by his unrestrained intercourse with the humblest, nor was it elevated by his acknowledged equality in all things with the most refined and intellectual in the land.

Socially, he was loved by all; and in that nearer and closer intimacy of the family circle, his example as a loving husband, a kind, indulgent but judicious father, can well be followed by all. In his conduct and character, we can mark this phase of his life as not the least of his many virtues.

We tender to his stricken family the only sympathy in our power. The State and Nation are with you, mourners, at the bier of the great and good man.

Our Speaker will name, on the part of our body, five of our number, who will represent us at the funeral.

And we request our Clerk to cause this memorial to be properly engrossed and presented to the family of our departed friend.

Resolved, That we do now adjourn.

Mr. Phillips rose in his place and stated as follows:

I had thought that it would be my sad duty, inasmuch as I was the Representative on this floor from the home of Judge Church, to prepare and offer resolutions expressive of the sense of this House on this sorrowful occasion; but I cheerfully acceded to the suggestion that the gentleman from Onondaga, Mr. Alvord, would be the proper person to do so, for the reason that he was the oldest member, and that he had been associated with Judge Church, officially, many years ago. I most fully accord with the sentiments expressed in these resolutions. I feel that it is fit and proper that the representatives of the people in this Assembly should express officially the grief felt by the whole people.

Mr. Speaker, this distinguished statesman and jurist was no ordinary man, but a man possessed of great natural powers, qualities of mind and heart which placed him in the front rank of the ablest men of this State. Without the aid of wealth or influential friends, he educated himself for the profession of the law, and by his untiring perseverance and industry he developed those qualities of intellect and heart that at once made him the respected and beloved of all who knew him. I shall not at this time attempt to give a protracted his-

tory of this distinguished citizen, for neither the time nor the data at hand are sufficient to do justice to his revered memory. At the age of nineteen he settled in the village of Albion, Orleans county, where he soon commenced the study of the law, was admitted to practice, and very soon took high rank in his profession, and won his way to that distinction which made his name the pride of every citizen of his adopted county. He represented Orleans county on the floor of this House in the year 1842, at which time he was but twenty-seven years of age. It was in this city, and on the floor of this House, that he formed the acquaintance of the leading men of the Democratic party of the State, it being the party with which he had identified himself; and by his gentlemanly bearing he won a permanent place in their affections; by the exercise of a sound and discriminating judgment he won their confidence, and by his participation in the debates of that winter he challenged their admiration, and from that time he took rank as one of the trusted leaders of the Democratic party in the State.

It was here that he formed the acquaintance as fellow members of such men as John A. Dix, Horatio Seymour, Thomas T. Flagler and others less noted, many of whom have since carved for themselves conspicuous niches in the temple of fame. It was in debate with such men as these that Judge Church exhibited those qualities as a debater in which clearness and precision of statement, forcible expression, power of condensation of thought and argument into the smallest possible space, combined wit, sarcasm and invective, which so distinguished him as an advocate at the bar. In 1846 Judge Church was elected district attorney for the county of Orleans, and in 1850 he was elected Lieutenant-Governor of this State, running upon the same ticket with Horatio Seymour for Governor, who was at that election defeated. In 1859 he was re-elected Lieutenant-Governor. In 1857 he was elected Comptroller. He was a member of the Constitutional Convention of 1867, and in 1870 he was elected to the office of Chief Judge of the Court of Appeals, the duties of which office he continued to perform with marked ability until the day of his death. In none of these varied trusts confided to him by the people was he found wanting. He was never unmindful of his duty, but was ever faithful in season and out of season, guarding the interests of the whole people and performing every duty conscientiously and honestly, so strictly within the rule that no taint of official corruption has ever attached to his name.

Judge Church was a safe counselor and an able advocate. For a series of years the law firm of Church & Davis, composed of the deceased and Hon. Noah Davis, located at Albion, was recognized as the leading law firm in western New York. It was during these years of law practice that he displayed those qualities of mind and sound judgment which so pre-eminently fitted him for the office of Chief Judge, and made the people feel safe in trusting him at the head of the Court of Appeal, although without previous judicial experience. In the election to that office he received about 90,000 majority, notwithstanding the opposing candidate was one of the ablest and best men in the State. It is needless to say that the unexceptionable manner in which he performed the duties of that office justified his election.

Those who know his private life know that his public virtues were only paralleled by his private worth. It was at his home in his family

and among his neighbors that the real qualities of the man shone out. He was a kind husband, an indulgent parent, a true friend and an obliging neighbor. It was from those who knew him best there radiated a sentiment which found a response in the hearts of a large and influential portion of the democratic party, that he was the exponent of the best sentiments, ideas and principles of that organization, and they hoped to see him again leading them to victory. Now that is all ended. Death loves a shining mark. He comes on with reckless footsteps to the hall as well as to the hut. Without a cloud in sight, the sun is shining brightly, the air is odorous with the sweet perfumes of spring, no warning of danger, no thought of death, a thunderbolt crashes through the sky and one of the noblest and tallest oaks of our forest lies shivered and torn, and the resounding crash carries sadness and mourning throughout the land. As it has often been said, death is no respecter of persons. The high as well as the low must yield to his stroke. We are again warned and admonished by this dispensation to repeat the injunction :

"So live that when the summons comes to join
The innumerable caravan that moves
To that mysterious realm, where each shall take
His chamber in the silent halls of death;
Thou go not like the quarry slave, at night,
Scourged to his dungeon, but sustained and soothed
By an unfaltering trust, approach thy grave
Like one who wraps the drapery of his couch
About him, and lies down to pleasant dreams."

Mr. Alvord rose in his place and stated as follows :

• The death knell of those who have been my companions in my busy past life is reverberating and re-echoing over the whole State. I have just learned, sir, that in my own native county, one born there, in circumstances similar to those of the man whom we mourn to night, has fallen by the wayside. An honored judge of the Supreme Court for sixteen years of his life, commencing in the walks of poverty, has laid himself down to die in the county of Onondaga within the last forty-eight hours, and this but follows the death of the Chief Judge of the Court of Appeals. I feel that it is my duty, although it is a sad and solemn privilege to speak upon this memorial occasion. Educated originally on the same field of politics, beginning almost at the same time, I met him more than forty years ago, in my work in that political field. I was a friend and known to Sanford E. Church. Intimately acquainted with his proceedings as a member of the Assembly of 1842, I was brought into immediate contact with him in 1858, in the first responsible official position which I held in this State. In the fall of 1857 he was elected Comptroller of this State, and I was elected a member of the Assembly, and at the subsequent assembling of the Legislature chosen to the responsible position which you, sir, now occupy. And I was in various official capacities brought into immediate and almost daily contact with him. While our lives moved apart politically to some extent thereafter, yet we always met as genial, cordial, warm-hearted friends. The political matters of the day brought us again in contact in 1867-'68, as members of the Constitutional Convention, and his noble eloquence, his firmness in regard to the rights of the people, his determination to throw around our Constitution a strong bulwark against any wrong to the treasury of the

State, are simple matters of record. Within the halls of the then Assembly chamber of this State, in that convention, no words of greater wisdom were spoken than by this man, none were listened to with so great attention, not only upon the part of the convention, but they were echoed and re-echoed throughout the length and breadth of the State, and there is impressed upon the Constitution under which we live to-day the handiwork performed by him at the behest of the people. In that convention he stood above and beyond all mere political anxieties and desires. He stood for the people, for he was of the people. He was always the friend of the people, whether they were low in the scale of humanity or among the best in the land. We must bow in humble submission to this Providence which has come upon us as a people. We know that so far as our great men are concerned, their record is written upon the hearts of the mass of the community, and whatever may have been the turmoil and the strife of politics, whatever may have been the divergence between men of equal minds, no man in this whole nation can rise up to-day and say that Sanford E. Church was any other than a man of single purpose, and that for the benefit of his country and his people. Throwing aside and disregarding in that strife that tried men's souls but a few years ago, taking off from him the shackles and trammels of party, he stood foremost in the ranks of the defenders of his country, and while he, educated as he was in a peculiar school of politics, has differed widely from the majority of this Assembly, there will be no more sincere mourners at this time when the clod of the valley shall fall upon him than the men who represent the dominant party in this Legislature.

Mr. Rhodes rose in his place and spoke as follows :

Mr. Speaker: I cannot let this memorial occasion pass without some recognition of the great qualities of heart and the great abilities of the man whose loss we mourn to-day. This body is closely associated with that other body of men just across the way, so dignified and so able, who are doing their work day by day, and hard work it is too, and as they lay down their lives one after another shall we not pause and ask ourselves, are they not overworked? It seems to me that this is the proper time for the consideration of this great question whether the best men in our whole State—and I may say in our whole nation—are not laying down their lives one by one in this service. It was my privilege through my profession to know Sanford E. Church slightly, and I may say that that acquaintance was always of the pleasantest and the kindest, and accompanied by that ready recognition for which he is so justly famous throughout the whole land. As has already been remarked none were too lowly for this recognition. He came to the bench which he graced with so much honor and ability in 1870, at the inauguration of the Court of Appeals under the amendment of the Constitution constructing that court upon its present basis. He was a man of great force of character, and pre-eminently qualified for the position he held from the outset, by reason of his great common sense and sound judgment, a man who had worked out for himself the enviable reputation of being true to his convictions, and in coming to those convictions he brought the force and experience of a well stored legal mind, balanced and trained by the study of character and human nature as well as the lore of books. I may say here that if any thing was pre-eminently the character of Chief Justice Church it was that he did not stop at books. It was

the mind with him. The confidence and esteem in which he was held by the bench and bar of the State is attested by the great weight which his opinions in the court of last resort were always given when cited. Judge Church sprung from that hardy class in our land who till the soil, and from which so many of the ablest minds and best men in our country come. Educated in the affairs of life which most concern the welfare of the whole people, and learning the principles of right and justice while being tutored in the economies which go to make the man, as such, whether he grace the bench, plead at the bar, attend the sick or in any of the numerous ways that make up the numberless vocations of life in this the greatest and grandest of all nations, he was well fitted for positions of great trust and responsibility. He had risen from the lowest walk in life to the most honorable and trusted position in the gift of the people of this great State. In taking such a position he was selected in a manner, unusual in this State, without previous experience on the bench of the Supreme Court. But his peculiar fitness for such a position seems to have been impressed upon the people and his record attests how well their choice was made. For no judicial mind ever occupied any position upon any bench of the State in whom the people had greater confidence and who brought to it a truer devotion to principle and better judgment. He had become, from his prominence in the affairs of the court over which he so ably presided, the central figure around which all the great questions upon which that tribunal has had occasion to pass were clustered, and the reports of that court bear the impress through the many years of his labors in it of his strong, vigorous and towering intellect tempered with good judgment. It seems to me that it is entirely fitting, after ten years of labor of the greatest mind that the courts of the State have ever seen, that the State of New York should drape herself in mourning for him.

Mr. C. S. Baker rose in his place and spoke as follows:

Mr. Speaker: The general grief which is expressed throughout the State over the death of Chief Justice Church is but a feeble echo of the great sorrow felt throughout the counties of Orleans and Monroe where, during nearly all his life, he was most intimately known and esteemed, as possessing in the highest degree those qualities which combine to make the statesman, jurist and friend—unchanged by height of public station or amount of power. In social life always genial and entertaining. Ever as courteous, considerate and affable to the poorest and humblest, as to the richest and proudest of his fellow citizens and neighbors. In every station of life the same kind and considerate friend and wise counselor. His death comes as a personal grief to all who knew him. While the highest and most honored will unite in paying sincere tribute to his memory, many among the poor and humble in Monroe and Orleans, where he was most intimately known, will mourn the loss of one who in private life had endeared himself to them by numberless acts of kindness. Judge Church was almost, if not quite, as much identified with the growth and prosperity of Monroe county as with Orleans. For some years, prior to his election as Chief Judge of the Court of Appeals, he resided in the city which I have the honor to represent in this House, and was recognized and honored as one of the ablest and purest members of the bar in Monroe county. My own acquaintance with him began during the second year of the war of the rebellion, and I have on more than a few

occasions in the early days of my own experience as a lawyer, found in him a willing and wise counsel, who was always regarded as the friend of every beginner in his profession. It is meet that we should, here and now, pay honor to the memory of our distinguished dead, and my own sense of personal loss must be my excuse for adding these few feeble words to what has already been so well and appropriately said.

Mr. Varnum rose in his place and spoke as follows:

Mr. Speaker: After what has been said it scarcely seems as if it were necessary for any one to say more to show the esteem and the regard in which the gentleman who has so lately passed away is held by the members of this House, but, sir, it affords me a gratification on this melancholy occasion to be able to say, as a member of this House, without regard to party affiliations, that I feel and believe that there is scarcely a citizen of the whole State of New York whose death would have been so deeply deplored as that of the distinguished man whose loss we now mourn. There is an old proverb, an old principle, which says that on an occasion like this there shall be said *nil de mortuis nisi bonum*, and it is right. It is right that the mantle of charity should be thrown around what faults a man may have, that after he has gone to his last rest we should consider mainly those good traits, which have distinguished him in his career in this world. But, Mr. Speaker, in this case there is no need for such charity. There is no need to draw the veil over a single action in the life of Sanford E. Church, a man pure in thought, in word and in deed; able and eloquent in his profession, straightforward and honest in his daily life, brilliant and successful as a legislator, as an officer and pre-eminently as a judge. It is unnecessary for me to allude to the early life of the distinguished gentleman; it has been already stated upon the floor of this House. Rising by degrees from a comparatively humble sphere, without education other than that afforded by the common schools of the country, he filled distinguished positions in the legislative halls, in the councils of the State and in the councils of the nation, the child of the soil, a son of America, the outgrowth of our American institutions; and here, Mr. Speaker, it seems, is the main lesson of the life of a man such as Sanford E. Church. In any other country success such as his with such a beginning would be impossible. It shows what I believe in, what we all believe in, that there is in our American institutions something at the bottom so honest, so true, so fair, that it is bound to preserve the republic from generation to generation, and we see Sanford E. Church without the advantages which are considered by many necessary in order to create a great judge, without a collegiate education, without a thorough and systematic drill in his early years, in spite of all these disadvantages rising until he became recognized as a great legislator, as a distinguished citizen of the State, becoming Comptroller, twice elected Lieutenant-Governor, and by the unanimous voice of his party in this State selected as its choice for the Presidency of the United States in 1868. Subsequently made the Chief Justice of the highest and grandest court which I venture to say exists in any State in this country. When we see the record of a life like this it seems to me that we feel a security in our American institutions. But there is more than this in the life of Sanford E. Church. It is a lesson showing what integrity, what honesty, what straightforwardness will do. In this body, in every public position that he held, in spite of all his political affiliations, in spite of every

thing that is conceived by many to lead a man from the correct track and course of action, in spite of all, I say, Sanford E. Church before friend and before foe stood ever unchallenged, not a slur, not a blot upon his reputation. Sir, it affords me pleasure as a member of the majority of this House to say that that majority will grieve as deeply as his own party, as his own immediate friends, at the loss of a statesman so pure, so eminent and so able. In a few short hours all that is left of Sanford E. Church will be laid down in the churchyard under the sod in his own native town and there a simple mound covering the mortal remains, over which the summer flowers will grow; but his memory will linger a precious heritage for his children, and not only that, but a precious heritage for the whole people of the State, for it will remind them of the life of a pure and noble son who, not hesitating to give his life to the public service, nevertheless preserved himself spotless through the whole of his long public career. It is a lesson for us all, it is a lesson for the people of the country and the people of the world. His course is run, his errand is done, but around the memory of Sanford E. Church there is such a halo of glory as I would like to see surround the memory of every member of this House. Mr. Speaker, I cordially second the resolutions.

Mr. McCarthy rose in his place and said :

Mr. Speaker : I desire, as one of the younger members of this House, and as a young lawyer, to add a few words to what has been said with regard to the memory of the lamented late Chief Judge of the Court of Appeals. But yesterday strong, vigorous, healthy ; to-day silent and nothing heard but the footsteps of the mourners and the tears and the weeping of his bereaved family and sorrowing friends ; but, yesterday presiding over the councils of the highest court of this State, to-day lamented, his decisions uncompleted, and the bench of the State deprived of its brightest ornament. History must and shall do him justice. The country has lost one of its greatest statesman, the bar has lost one of its ablest jurists, and the State one of its greatest protectors. His example, as has been stated before us, is one that we should all heed and follow ; and there is no doubt if we follow the example set by him, we each of us, old and young, have some chance to leave behind us, when the great Creator calls us hereafter, some little memento, some little credit which will be accorded us by our fellow men. I also second the resolution, and offer the following resolution :

Resolved, That this body (the Senate concurring) direct that the message of His Excellency Alonzo B. Cornell, announcing the sad death of Hon. Sanford E. Church, together with all the proceedings thereunder, be published in pamphlet form, under the direction of the Clerks of the Senate and Assembly.

Resolved, That there be printed said pamphlet 1,000 copies.

Mr. Speaker announced the following as a committee to attend the funeral :

Messrs. Phillips, Orleans ; Rhodes, Rensselaer ; Terry, Washington ; Parker, Greene ; Baker, Monroe.

Mr. Speaker then put the question whether the House would agree to the resolutions offered by Mr. Alvord, and it was unanimously determined in the affirmative, by a standing vote.

In respect to the memory of the late Chief Justice, Sanford E. Church, the House, at 8 o'clock and 20 minutes, adjourned until to-morrow morning at 10 o'clock.

TUESDAY MORNING, MAY 18, 1880.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Patterson.

The journal of yesterday was read and approved.

Privileges of the floor were granted to Hon. Kneeland Townsend, a former member of this House.

Mr. Titus called from the table the report of the sub-committee of the whole in words following :

Report of the sub-committee of the whole.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 915, printed No. 757, entitled "An act for the relief of Philip Hathaway," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 807, printed No. 684, entitled "An act to provide for payment of the expense of certain proceedings against public officers in the city of New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 940, printed No. 767, entitled "An act to provide for the payment of the salary and legal expenses of George W. Morton, an excise commissioner in the city of New York," reported in favor of the passage of the same, without amendment.

• Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 912, printed No. 754, entitled "An act to amend act chapter 337, Laws of 1864, entitled 'An act to facilitate the construction of water-ways, and to increase the facilities of navigation in the transportation of freight and passengers,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 353, printed No. 327, entitled "An act to amend chapter 101 of the Laws of 1879, entitled 'An act to amend section 28 of article 2 of title 10 of chapter 8 of part 3 of the Revised Statutes, relating to summary proceedings to recover the possession of land,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 628, printed No. 552, entitled "An act to incorporate the Supreme Council of Royal Templars of Temperance, and to provide for the organization of select councils, and a grand council for the State of New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 791, printed No. 672, entitled "An act to amend chapter 427 of the Laws of 1847, entitled 'An act to provide for the incorporation of villages,' so far as the same relates to the village of Corning, in the county of Steuben," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 674, printed No. 589, entitled "An act to

authorize the Equity Gas Light Company of the eastern district of the city of Brooklyn to change its name," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 959, printed No. 779, entitled "An act to amend section 4 of chapter 381 of the Laws of 1875, entitled 'An act supplemental to an act entitled 'An act to provide for the incorporation of religious societies,'" passed April 5, 1813, and of the several acts amendatory thereof, reported in favor of the passage of the same, with amendments as follows:

Section 1, line 8, strike out the words "and which."

Also amend the title by striking out the words "Passed April 5, 1813."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 798, printed No. 677, entitled "An act to amend chapter 320 of the Laws of 1850, entitled 'An act to amend the incorporation of the village of Lancaster, in the county of Erie,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 601, printed No. 528, entitled "An act to legalize the official acts of Charles I. Schampain as a notary public for the county of New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 913, printed No. 755, entitled "An act to amend chapter 133 of the Laws of 1847, entitled 'An act authorizing the incorporation of rural cemetery associations,' passed April 27, 1847," reported in favor of the passage of the same, with an amendment as follows:

To amend the title by striking out the words "Passed April 27, 1847."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 831, printed No. 703, entitled "An act to amend chapter 554 of the Laws of 1873, entitled 'An act amending chapter 837, Laws of 1868, and chapter 623, Laws of 1869, in reference to the laying out, opening and continuing Bushwick avenue, in the town of New Lots, Kings county,'" reported in favor of the passage of the same, with amendments as follows:

Section 1, line 1, strike out word "heretofore."

Line 2, after the word "provided" strike out all down to and including word "sixty-nine" in line 4.

Section 2, strike out lines 3, 4, 5, 6, including word "Kings" in line 7.

Section 3, line 4, strike out word "thirty."

Line 7, strike out word "thirty."

Line 11, strike out word "thirty;" also the words "after the filing of the map and description of said avenue."

Line 15, after the word "and" strike out all down to and including the word "thereby" in line 17.

Section 4, line 4, strike out the words "curbed and guttered."

Line 5, strike out the words "curbing and guttering."

Line 11, strike out the words "one-half of."

Line 20, after the word "avenue" strike out the remainder of the section.

Section 5, line 4, strike out word "three."

Line 5, strike out word "seven."

Section 6, line 6, strike out word "seven."

Line 8, strike out word "three."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 986, printed No. 795, entitled "An act allowing actions brought in the marine court of the city of New York against the mayor, aldermen and commonalty of the city of New York to be discontinued and recommenced in any court of competent jurisdiction and the time in which the same may be brought," reported in favor of the passage of the same, with an amendment as follows:

To amend the bill by striking out the "Preamble."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 860, printed No. 722, entitled "An act to amend chapter 332 of the Laws of 1875, entitled 'An act to amend chapter 610 of the Laws of 1874, entitled 'An act to authorize the sale of lands for non-payment of taxes and for the collection of unpaid taxes in the several towns of the county of Westchester,'" reported in favor of the passage of the same, without amendment.

* Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 668, printed No. 584, entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 681, printed No. 595, entitled "An act relating to the title of personal property," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 477, printed No. 102, entitled "An act for the relief of Mary A. Vandewater, administratrix of Henry Vandewater, deceased," reported in favor of the passage of the same, with amendments as follows:

To amend section 1 of the engrossed bill by striking out all after the word "authorized" in line 2, down to and including the word "of" in line 4, and inserting "and directed to examine the claim made against said city by;" line 10, after the word "two" insert "and;" to add at the end of section 1 the following: "The said comptroller shall fix and determine the fair, just and reasonable amount to be paid, and such determination shall be filed in the finance department."

To insert as section 2 as follows:

§ 2. The said comptroller shall certify the amount so fixed and determined by him to the board of estimate and apportionment of said city, which board shall thereupon make an appropriation for the payment thereof, which appropriation shall be included in the final estimate made by said board for the year 1880, and shall be certified by the comptroller to the supervisors of the county of New York as a part of the said estimate, and the comptroller shall pay the amount so fixed and determined by him and appropriated by the board of estimate and apportionment, upon receiving a release of such claim in favor of the city.

To change section 2 to section 3.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 923, printed No. 295, entitled "An act to amend chapter 448 of the Laws of 1876, entitled 'An act relating to courts, officers of justice, and civil proceedings,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 142, printed No. 13, entitled "An act to amend chapter 176 of the Laws of 1879, entitled 'An act in relation to writs of error in behalf of the people in criminal cases,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 819, printed No. 225, entitled "An act to amend chapter 415 of the Laws of 1863, entitled 'An act to amend section first of chapter 416 of the Laws of 1862,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 935, printed No. 232, entitled "An act to regulate the appointment and compensation of janitors for the several armories in the county of Kings," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 678, printed No. 150, entitled "An act to establish a board of fire commissioners for the village of West Troy, in the county of Albany," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 938, printed No. 251, entitled "An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish, and other game,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 726, printed No. 206, entitled "An act to provide for the improvement of Morningside park in the city of New York, and of the streets and avenues bounding said park," reported in favor of the passage of the same, with amendments, as follows:

Section 5, line 13 of engrossed bill, strike out the word "works" and insert "parks."

Section 6, line 3, strike out the words "one month" and insert "three months;" also, after the word "avenues," in line 13, strike out the remainder of the section.

Section 8, line 5, after the word "issue" insert "from time to time as required;" line 13, after the word "dollars" insert "in all whereof not exceeding seventy-five thousand dollars shall be;" line 16, after the word "annum" insert "the balance thereof with interest at six per cent per annum shall be payable on the first day of November, 1882."

Section 9, line 7, after the word "eighty-one" insert "and eighty-two;" line 7, after the word "pay" insert "in each said years one-half of the principal;" also, strike out in lines 7 and 8 the words "both principal and interest;" also, to add at the end of the section the words "together with the interest thereon."

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 881, printed No. 233, entitled "An act to further amend chapter 908 of the Laws of 1867, entitled 'An act for

the regulation of tenement and lodging houses in the cities of New York and Brooklyn, as amended by chapter 504 of the Laws of 1879," reported in favor of the passage of the same, with amendments, as follows:

To amend the engrossed bill by adding as section 2 the following:

§ 2. Section 5 of said chapter 504 of the Laws of 1879 is hereby amended so as to read as follows:

§ 5. The board of police of the city of New York, upon the requisition of the board of health of the city of New York, shall detail to the service of the said board of health for the purpose of the enforcement of the provisions of this act, of chapter 908 of the Laws of 1867, in the said city, not exceeding thirty suitable officers and men of experience of at least five years' service in the police force, provided that the board of health shall pay monthly to the board of police a sum equal to the pay of all officers and men so detailed; the officers and men shall belong to the sanitary company of police, and shall report to the president of the board of health. The board of health may report back to the board of police, for punishment, any member of said company guilty of any breach of orders or discipline, or of neglecting his duty; and thereupon the board of police may detail another officer or man in his place; and the discipline of the said members of the sanitary company shall be in the jurisdiction of the board of police; but at any time the board of health may object to the efficiency of any member of said sanitary company, and thereupon another officer or man may be detailed in his place. The board of police shall have the power, and it shall be their duty, to fill all vacancies in the police force of the city caused by the detailing of said officers and men upon the requisition of the board of health, and to make new appointments to said force equal in number to the officers and men now, or who may hereafter be detailed to the service of the board of health under and by virtue of the provisions of this act.

Change section 2 to section 3; also, change section 3 to section 4.

Also,

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 810, printed No. 687, entitled "An act to amend section 376 of the Code of Civil Procedure," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 951, printed No. 774, entitled "An act for the appointment of referees to sell real estate under all decrees when agreed upon by the attorneys who appear in such actions," reported in favor of the passage of the same, with amendments, as follows:

To add at the end of section 1 as follows: "In default of such agreement the court shall, in every case, appoint a referee, or the sheriff of the county in which such real estate is situated to execute its judgment or decree."

To add as section 2 the following: "All acts or parts of acts inconsistent herewith are hereby repealed."

Also to change section 2 to section 3.

Also to amend the title so that it will read:

"An act for the appointment of referees to sell real estate under judgments or decrees."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 939, printed No. 766, entitled "An act for

the relief of James B. Brady," reported in favor of the passage of the same, with amendments, as follows:

Section 1, line 1, after the word "authorize" insert "and required;" line 5, after the word "verified" strike out the remainder of section 1 and insert "or the Comptroller may, upon the application of said Brady, appoint a suitable person to act as referee, who shall without delay proceed to take testimony and examine all the facts and evidence bearing upon said claim, and report the testimony and certify to the Comptroller the amount in his judgment equitably due said Brady, and unpaid for work so performed, and said amount so certified with interest shall be deemed a valid claim against said city, to be by the Comptroller reported to the board of estimate and apportionment of said city."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 910, printed No. 753, entitled "An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 970, printed No. 790, entitled "An act to provide for the rebuilding of Fulton market in the city of New York," reported in favor of the passage of the same, with amendments, as follows:

Section 3, line 1, after the word "standholders" insert "and cellar lessees;" line 2, strike out the words "for stands;" line 4, after the word "standholders" insert "or lessees."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 777, printed No. 663, entitled "An act to facilitate the collection of judgments," reported in favor of the passage of the same, with an amendment as follows:

To add as section 5 the following:

"The provisions of this act shall not apply to the county of Albany."

Change section 5 to section 6.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 908, printed No. 751, entitled "An act to amend 'An act to authorize the formation of railroad corporations and to regulate the same, passed April 2, 1850,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 599, printed No. 526, entitled "An act giving the right to interpose supplemental pleading setting forth a discharge in bankruptcy," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 946, printed No. 773, entitled "An act to provide for lights at the crossings of streets by elevated railroads in the city of New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 809, printed No. 686, entitled "An act to further amend chapter 448 of the Laws of 1876, entitled 'An act relating to courts, officers of justice, and civil proceedings,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 870, printed No. 732, entitled "An act to amend chapter 78 of the Laws of 1870, entitled 'An act to amend an act entitled 'An act requiring compensation for causing death by wrongful act, neglect or default, passed December 13, 1847,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 888, printed No. 742, entitled "An act in relation to the temporary relief of the poor in the town of Goshen, Orange county," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 982, printed No. 794, entitled "An act to institute a State board of correction and pardons and county boards of correction," reported in favor of the passage of the same, with amendments as follows:

To add at the end of section 4 the following :

"The commissioners appointed under this section shall receive no compensation for their services, but all moneys paid out by them for their actual traveling or incidental expenses shall be repaid to them by the county treasurer of the county upon presentation of an account of the same duly certified; the medical officer appointed by the board of supervisors to visit the jail shall report, from time to time, to the commissioners appointed by this section, and shall make special examination of any prisoner if desired by said commissioners."

Section 5, line 2, strike out all after the word "correction" down to and including the second word "time" in line 6, and insert "the county board of correction shall regulate the sanitary arrangements and moral discipline in each jail, in a manner not inconsistent with the Laws of the State, and the rules and regulations of the State board of correction and pardons."

Section 6, line 17, after the word "statute" strike out all down to and including the word "application" in line 23; line 25, after the word "be" insert "forthwith;" lines 28 and 29, strike out the words "and publication of said application and notice may be omitted" and insert as follows: "in case the board of supervisors are not in session the sheriff shall serve a copy of such application on the chairman of the board immediately after its organization; if the board of supervisors shall desire to contest any of the allegations contained in such application they may present a statement in writing to said justice, and he may thereupon refer the application and statement to a referee to take testimony thereon and report the same with the findings of facts to said justice at a time to be specified in the order of reference for final hearing."

Section 12, line 2, after the word "of" insert "twenty-five hundred."

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 476, printed No. 125, entitled "An act to provide for the payment of water bonds issued by the village of Goshen, in the county of Orange," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 836, printed No. 199, entitled "An act relating to certain buildings erected for county purposes in the city and county of New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 901, printed No. 179, entitled "An act making it a felony to steal, destroy or conceal a will, codicil, or other testamentary instrument," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 253, printed No. 41, entitled "An act to amend chapter 324 of the Laws of 1850, entitled 'An act for the preservation of the public health,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 560, printed No. 133, entitled "An act to create a board of estimate for the county of Kings and the city of Brooklyn, and to prescribe the manner in which appropriations shall be made for the support of the government of said county and said city," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 953, printed No. 290, entitled "An act to amend chapter 361 of the Laws of 1871, entitled 'An act to facilitate the admission of certain wills as evidence in courts of justice,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 978, printed No. 257, entitled "An act in relation to drains, ditches and water channels constructed before the year 1872, for draining swamps, marshes and other low lands," reported in favor of the passage of the same, without amendment.

Mr. Shanley moved to recommit Assembly bill No. 774, entitled "An act for the appointment of referees to sell real estate under all decrees when agreed upon by the attorneys who appear in such actions," to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Also,

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 966, printed No. 785, entitled "An act providing for the appointment of an additional number of commissioners of deeds in the city of New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 933, printed No. 763, entitled "An act authorizing the appointment of special policemen for Long Beach in the town of Hempstead, Queens county," reported in favor of the passage of the same, with an amendment as follows:

Section 1, line 2, strike out the words "and nomination."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 878, printed No. 735, entitled "An act to amend chapter 519 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 466, printed No. 425, entitled "An act relative to the pay of policemen and firemen in the city of New York injured or disabled while in actual discharge of their duties," reported in favor of the passage of the same, with amendments as follows:

Section 1, line 2, strike out the words "or other employee;" strike out same words in line 5.

Section 3, line 4, after the word "any" insert "such."

Line 5, strike out word "the" and insert "such;" same line, strike out the words "or employees."

Line 6, after the word "disabled" insert "as."

Line 7, strike out second word "the" and insert "such;" also strike out the words "or employee" in lines 7 and 8.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 685, printed No. 598, entitled "An act to provide for the rebuilding of the market known as Jefferson Market, in the city of New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 941, printed No. 768, entitled "An act to authorize the dock department of the city of New York to construct a new pier for the use of the police and fire departments of that city," reported in favor of the passage of the same, with amendments as follows:

Section 1, line 2, after the word "authorized" insert "and directed;" also to amend the title by inserting after the word "authorize" the words "and direct."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 684, printed No. 597, entitled "An act to amend chapter 17 of the Laws of the second meeting of the fifty-first session of the Legislature of the State of New York, entitled 'An act to incorporate the contributors to the Northern dispensary of the city of New York,' passed November 28, 1828," reported in favor of the passage of the same, with an amendment as follows:

To amend the title by striking out the words "Passed November 28, 1828."

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 597, printed No. 524, entitled "An act to abolish the office of marshal of the city of New York and to provide for the appointment of officers in lieu of marshals in said city, and making certain regulations concerning the same," reported in favor of the passage of the same, with amendments as follows:

Section 3, lines 4 and 5, strike out the words "during the pleasure of the justice of the court for which they are appointed," and insert "for three years from the date of appointment;" line 18, strike out the words "or more;" line 24, after the word "money" strike out down to and including the word "city" in line 27.

To add as section 4 the following:

"§ 4. In case of a vacancy in the office of district court constable by reason of death, resignation or otherwise, the justice of the district court for which such constable is appointed shall fill such vacancy for the unexpired term."

Change section 4 to section 5; change section 5 to section 6.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill Int. No. 1171, G. O. , printed No. , entitled "An act to amend chapter 398 of the Laws of 1871, entitled 'An act in relation to the improvement of the First avenue in the city of New York,' reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 519, printed No. 465, entitled "An act to amend section 15 of chapter 579 of the Laws of 1853, entitled 'An act to simplify the manner of collecting arrears of taxes, assessments and regular rents of croton water, in the city of New York,'" reported in favor of the passage of the same, with amendments as follows:

Strike out all after the enacting clause and insert as follows:

Section 1. At any time after the passage of this act, and before the first day of April, 1881, any person may pay to the comptroller of the city of New York the amount of any regular rents and charges for croton water imposed upon any real property belonging to such person, and now remaining unpaid, together with interest thereon at the rate of 7 per cent per annum, to be calculated from the time that such rents and charges was imposed to the time of such payment. The comptroller shall make and deliver to the person making such payment a receipt therefor, and shall forthwith cancel the record of any such charges on the books of the finance department, and upon such payment being made such rent or charges shall cease to be a lien upon the property, and shall be deemed fully paid, satisfied and discharged, and there shall be no right to any further interest or penalty by reason of such tax not having been paid within the time heretofore required by law, or by reason of any statute passed requiring the payment heretofore of any interest or penalty over 7 per cent per annum upon any unpaid regular rents or charges for croton water.

§ 2. This act shall take effect immediately.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. No. 837, printed No. 135, entitled "An act to give to the common council of the city of Buffalo power to allow the owners of the Arcade building in said city compensation for the injury to said building occasioned by the acts of the public authorities of said city in January, 1865," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 993, printed No. 368, entitled "An act to amend title 1, chapter 17, part 1 of the Revised Statutes, entitled 'Of sales by auctioneers,'" reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 470, printed No. 123, entitled "An act in relation to the temporary relief of the poor of the town of Ulster, Ulster county," reported in favor of the passage of the same, without amendment.

Mr. Newman moved to recommit Senate bill No. 232, entitled "An act to regulate the appointment and compensation of janitors for the several armories in the county of Kings," to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Brennan moved to recommit bill No. 794, entitled "An act to institute a State board of correction and pardons and county boards of correction," to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Cohen moved to recommit bill No. 766, entitled "An act for the relief of James B. Brady," to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Fiske moved to recommit bill No. 257, entitled "An act in relation to drains, ditches and water channels constructed before the year 1872, for draining swamps, marshes and other low lands," to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the remainder of said report, and it was determined in the affirmative.

Ordered, That said bills be engrossed for a third reading.

Mr. Speaker presented a list of bills, selected by the Speaker and Clerk, to be referred to the sub-committee of the whole, in words following:

No. 783, G. O. 965, Mr. E. D. Benedict: "An act for the better protection of manufacturing interests."

No. 634, G. O. 733, Mr. Cookinham: "An act to repeal chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties.'"

No. 791, G. O. 974; Mr. E. A. Carpenter: "An act to authorize the supervisor of the town of Southampton, Suffolk county, to acquire landing places in and for the use of the inhabitants of said town."

No. 733, G. O. 872, Mr. Fish: "An act to amend chapter 252 of the Laws of 1879, entitled 'An act to amend chapter 319 of the Laws of 1848, entitled 'An act for the incorporation of benevolent, charitable, scientific and missionary societies.'"

No. 789, G. O. 969, Mr. Thilemann: "An act for the relief of Thomas Duffy, who performed the duty and rendered services as clerk of the seventh judicial district court in the city of New York during part of the year 1879."

No. 758, G. O. 916, Mr. E. A. Carpenter: "An act to amend the act entitled 'An act to amend the Revised Statutes in relation to summary proceedings to recover possession of land, passed April 3, 1849.'"

Senate bill No. 402, G. O. 991, Mr. Bixby: "An act to regulate the leasing of real estate by the mayor, aldermen and commonalty of the city of New York."

Senate bill No. 289, G. O. 988, Mr. Williams: "An act authorizing the surrogate of the county of Erie to appoint a stenographer for the surrogate's court of said county."

Senate bill No. 254, G. O. 990, Mr. Williams: "An act to amend chapter 258 of the Laws of 1849, entitled 'An act in relation to suits by and against joint-stock companies and associations,' and also to amend chapter 455 of the Laws of 1851, entitled 'An act to extend the 'act in relation to suits by and against joint-stock companies and associations,' to companies having a joint or common interest in property.'"

Senate bill No. 391, G. O. 1019, Mr. Hogan: "An act to amend chapter 818 of the Laws of 1866, entitled 'An act to create a separate road district in the town of Middletown, Richmond county.'"

Senate bill No. 357, G. O. 1001, Mr. Williams: "An act for the relief of the Buffalo Surgical Infirmary."

Senate bill No. 255, G. O. 921, Mr. Fowler: "An act to amend chap-

ter 467 of the Laws of 1870, entitled 'An act in relation to the county courts.'"

Senate bill No. 200, G. O. 763, Mr. Williams: "An act to amend chapter 559 of the Laws of 1874, entitled 'An act to incorporate the Niagara Grand Island Bridge Company.'"

Senate bill No. 286, G. O. 989, Mr. Hogan: "An act for the relief of Thomas Cottman."

Senate bill No. 227, G. O. 749, Mr. Forster: "An act to amend the Code of Civil Procedure."

Senate bill No. 75, G. O. 884, Mr. Forster: "An act to prevent the obstruction and incumbrance of docks, wharves and piers in the cities of New York and Brooklyn."

No. 602, G. O. 689, Mr. Husted: "An act to amend section 3 of chapter 582 of the Laws of 1864, entitled 'An act to amend an act entitled 'An act to authorize the formation of railroad corporations and to regulate the same, passed April 2, 1850.'"

No. 750, G. O. 907, Mr. Husted: "An act in relation to railroad corporations."

Senate bill No. 312, G. O. 987, Mr. Robertson: "An act to make effectual judicial decrees against unknown owners."

Senate bill No. 128, G. O. 743, Mr. Forster: "An act for the relief of Abel Crook."

Senate bill No. 167, G. O. 761, Mr. Rockwell: "An act to amend chapter 227 of the Laws of 1872, entitled 'An act to amend an act passed May 9, 1868, entitled 'An act to amend section 3 of chapter 817 of the Laws of 1866, entitled 'An act to lay out and construct a road from the river road in township number 14, in the town of Johnsbury, to the Carthage road near the head of Long lake in the county of Hamilton.'"

Mr. Alvord moved that bill No. 868, entitled "An act to amend chapter 283 of the Laws of 1850, entitled 'An act to amend the Revised Statutes relating to grants of land under water,'" be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Alvord moved that bill No. 730, entitled "An act to organize a night medical service in the city of New York and to provide medical assistance in cases of sudden sickness or accident during the night time," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Travis offered for the consideration of the House a resolution in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of Senate bill No. 356, entitled "An act to amend chapter 717 of Laws of 1870, entitled 'An act to authorize the sale of real estate in which any widow is or should be entitled to a dower in satisfaction and discharge thereof,'" and that the same be sent to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Nowlan introduced a bill entitled "An act to authorize the

commissioner of highways of the town of Newark Valley in the county of Tioga to ascertain and establish the location of the several highways situated in said town, and to reduce descriptions thereof to writing, and to have the same recorded in the office of the town clerk of said town, in the place of the records thereof destroyed by fire on the 15th day of October, 1879," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Nowlan, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Davis | McCarthy | Siason |
| Baker, C. S. | Deane | McDonald | Skinner |
| Beach | Dougherty | McTernan | Slingerland |
| Beates | Douglass | Miller | Steele |
| Benedict, E. D. | Duell | Mitchell | Tallmadge |
| Benedict, T. E. | Duguid | Mooers | Terpeny |
| Bennett | Ellis | Nowlan | Terry |
| Bradley | Evans | Peck | Thilemann |
| Brennan | Ferris | Phillips | Titus |
| Brodsky | Fish | Pitcher | Tormey |
| Carpenter, E. A. | Gorsline | Potter | Tozier |
| Carpenter, I. S. | Gray | Potts | Travis |
| Case | Gwinup | Rhodes | Tuthill, H. H. |
| Catlin | Hayes | Roberts | Tuttle, R. M. |
| Chamberlain | Hoffman | Root | Van Valkenburgh |
| Clancy | Howland | Russell | Varnum |
| Clowes | Husted | Seeley | Warner |
| Cohen | Ingersoll | Shanley | Waterbury |
| Congdon | Kennedy | Sheridan | Wells, D. A. |
| Cookinham | Lefever | Sherman | Wells, J. L. |
| Crapser | Liddle | Shuit | Weston |
| Curtis | McAvoy | Sipp | Youngs |
| Cushing | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Husted introduced a bill entitled "An act to authorize the trustees of the village of Pierpont, in the county of Rockland, to macadamize the highway in said village," was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Husted, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. C. S. Baker offered for the consideration of the House a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor requesting the return of Assembly bill No. 28, entitled "An act in relation to the partition of lands held by husband and wife as joint tenants, tenants in common, or as tenants by entireties," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate sent for concurrence the following resolutions :

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill No. 308, general orders No. 367, entitled "An act in relation to arrears of personal taxes in the city of New York," for amendment.

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein.

Also,

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill No. 361, entitled "An act to change the name of the First Castile Society of Castile, Wyoming county, and State of New York," for amendment.

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein.

Also,

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill No. 20, entitled "An act to amend chapter 176 of the Laws of 1872, entitled 'An act in relation to the village of Canandaigua, and to provide a police justice and police constable in said village, and defining their jurisdiction, powers and duties,'" for amendment.

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein.

The Senate returned the following resolution :

Resolved (if the Senate concur), That 1,500 copies of the Thirty-second Annual Report of the State Museum of Natural History by the Regents of the University, with the accompanying papers, be printed and bound for the use of the said Regents, and 300 copies, in like manner, for the use of the Directors; all to be paid for according to the price stipulated in the contract for extra copies," with a message that they have concurred in the same, with the following amendments:

Strike out "Thirty-second Annual Report" and insert "Thirty-third Annual Report."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative.

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate sent for concurrence the following resolution :

Resolved (if the Assembly concur), That there be printed, in paper covers, 1,000 copies of the Report of the Committee of the State Board of Charities, appointed to investigate the charges against the Society for the Reformation of Juvenile Delinquents, Randall's Island, New York, for the use of the State Board of Charities.

Ordered, That said resolution be referred to the committee on public printing.

A message from the Senate was received and read, informing of concurrence in the following resolutions :

Resolved (if the Senate concur), That there be printed, for the use of the Legislature, 3,000 copies of the Report of the Commissioners appointed to settle the Disputed Boundary Lines with the State of Connecticut.

Ordered, That the Clerk deliver said resolution to the State Printer.

Also,

Resolved (if the Senate concur), That there be printed, for each member of the Assembly of this Legislature, ten copies of the new Civil List, and also one copy for each officer and reporter of the Senate and Assembly ; the price of the same not to exceed \$2.50 per copy.

Ordered, That the Clerk deliver said resolution to the State Printer.

Mr. Speaker presented a communication from the officers in the city of New York relative to the West street improvement bill, in opposition thereto ; which was referred to the committee of the whole.

Privileges of the floor were granted to Hon. A. T. Smith.

A message was received from the Senate in words following :

IN SENATE, May 13, 1880.

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act authorizing the construction of a bridge over the Erie canal at Kent street, in the village of Palmyra."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Lord, and by unanimous consent, the same was amended as follows :

After the word "thereto," section 1, line 6, insert "The erection of said bridge is construed as being within the provisions for ordinary repairs, and as instead of the State bridge which formerly crossed the canal at Jessup street, said bridge having been removed."

Strike out all of section 2, and add in lieu thereof the following :

Section 2. The sum of \$1,000, or so much thereof as may be necessary for the construction of said bridge, is hereby appropriated out of the revenues of the canals.

And as amended passed, re-engrossed and ordered sent to the Assembly for concurrence.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|-------------|
| Alvord | Curtis | Ingersoll | Shuit |
| Baker, B. F. | Cushing | Kennedy | Sipp |
| Baker, C. S. | Davis | Lefever | Skinner |
| Beach | Deane | Liddle | Slingerland |
| Beates | Dougherty | Lindsay | Steele |
| Benedict, E. D. | Duell | Low | Tallmadge |
| Bradley | Duguid | McAvoy | Terpeny |
| Brennan | Evans | McCabe | Terry |
| Brodsky | Fish | McCarthy | Thilemann |
| Carpenter, E. A. | Fiske | McDonald | Titus |
| Carpenter, I. S. | Fitzgerald | Miller | Tozier |

| | | | |
|-------------|----------|----------|-----------------|
| Case | Gorsline | Morgan | Treanor |
| Catlin | Gray | Nowlan | Tuthill, H. H. |
| Chamberlain | Griggs | Potter | Van Valkenburgh |
| Chase | Gwinup | Roberts | Warner |
| Chickering | Hagan | Root | Waterbury |
| Clark | Havens | Russell | Wells, D. A. |
| Cohen | Hayes | Seeley | Wells, J. L. |
| Comstock | Hoffman | Shanley | Weston |
| Congdon | Howland | Sheridan | Wren |
| Cookinham | Husted | Sherman | Youngs |
| Crapser | | | |

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|-----------------|
| Alvord | Crapser | Hurd | Sherman |
| Andrews | Cullinan | Husted | Shuit |
| Baker, E. F. | Curtis | Ingersoll | Sipp |
| Baker, C. S. | Davis | Kennedy | Skinner |
| Beach | Deane | Lefever | Slingerland |
| Beates | Dougherty | Liddle | Steele |
| Bradley | Douglass | Low | Tallmadge |
| Brennan | Duell | McAvoy | Terpeny |
| Bridges | Duguid | McCabe | Terry |
| Brodaky | Evans | McCarthy | Thilemann |
| Bullock | Ferris | McDonald | Titus |
| Carpenter, E. A. | Fish | Miller | Tozier |
| Carpenter, I. S. | Fiske | Mooers | Travis |
| Case | Fitzgerald | Morgan | Treanor |
| Catlin | Gorsline | Nowlan | Van Valkenburgh |
| Chase | Gray | Peck | Varnum |
| Chickering | Griggs | Potter | Warner |
| Childs | Gwinup | Roberts | Waterbury |
| Clark | Hagan | Root | Wells, D. A. |
| Cohen | Havens | Russell | Wells, J. L. |
| Comstock | Hayes | Seeley | Weston |
| Congdon | Hoffman | Shanley | Wren |
| Cookinham | Howland | Sheridan | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

A message from the Senate was received in the words following:

IN SENATE, *May 11, 1880.*

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to authorize the construction of a bridge over Erie canal at Tonawanda."

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. Williams, and by unanimous consent, the same was amended as follows:

Section 1, line 4 of engrossed bill, after the word "Tonawanda" insert "Erie county;" line 11, after the word "bridge" insert "not exceeding ten thousand dollars."

And as amended passed, re-engrossed, and ordered sent to the Assembly for concurrence.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Davis | Lefever | Sheridan |
| Andrews | Dougherty | Liddle | Sherman |
| Baker, B. F. | Douglass | Lindsay | Shuit |
| Baker, C. S. | Duell | Low | Sipp |
| Beach | Duguid | McAvoy | Skinner |
| Beates | Evans | McCabe | Slingerland |
| Bennett | Ferris | McCarthy | Steele |
| Bradley | Fish | McDonald | Tallmadge |
| Brennan | Fiske | Miller | Terpeny |
| Bridges | Fitzgerald | Mooers | Terry |
| Brodskey | Gillette | Morgan | Thilemann |
| Carpenter, E. A. | Gorsline | Nowlan | Titus |
| Carpenter, I. S. | Gray | O'Connor | Tozier |
| Case | Griggs | Peck | Travis |
| Catlin | Gwinup | Pitcher | Treanor |
| Chamberlain | Hagan | Potter | Tuthill, H. H. |
| Chase | Havens | Potts | Waterbury |
| Chickering | Hayes | Roberts | Wells, D. A. |
| Clark | Hoffman | Root | Wells, J. L. |
| Comstock | Howland | Russell | Weston |
| Congdon | Husted | Sanders | Wiley |
| Cookinham | Ingersoll | Seeley | Wren |
| Crapser | Kennedy | Shanley | Youngs |
| Cullinan | | | |

Those who voted in the negative, were

Curtis

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 97 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-------------|
| Alvord | Crapser | Kennedy | Shanley |
| Andrews | Cullinan | Lefever | Sheridan |
| Baker, B. F. | Davis | Liddle | Sherman |
| Baker, C. S. | Dougherty | Low | Shuit |
| Beach | Douglass | McAvoy | Sipp |
| Beates | Duell | McCabe | Skinner |
| Benedict, E. D. | Duguid | McCarthy | Slingerland |
| Bennett | Evans | McDonald | Steele |
| Bradley | Ferris | Miller | Tallmadge |
| Brennan | Fish | Mitchell | Terpeny |
| Bridges | Fiske | Mooers | Terry |
| Brodskey | Fitzgerald | Morgan | Thilemann |
| Bullock | Gillette | Nowlan | Titus |
| Carpenter, E. A. | Gorsline | O'Connor | Tozier |
| Carpenter, I. S. | Gray | Peck | Travis |
| Case | Griggs | Phillips | Treanor |

| | | | |
|-------------|-----------|---------|-----------------|
| Catlin | Gwinup | Pitcher | Van Valkenburgh |
| Chamberlain | Hagan | Potter | Warner |
| Chase | Hayes | Potts | Waterbury |
| Chickering | Hoffman | Roberts | Wells, D. A. |
| Clark | Howland | Root | Wells, J. L. |
| Clowes | Hurd | Russell | Weston |
| Comstock | Husted | Sanders | Wren |
| Congdon | Ingersoll | Seeley | Youngs |
| Cookinham | | | |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

A message was received from the Governor in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }
ALBANY, May 13, 1880. }

To the Assembly:

In pursuance of a joint resolution of the Senate and Assembly, Assembly bill No. 195, entitled "An act to prevent trespassing and intrusion upon railroad cars and engines," is herewith returned for amendment.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 97 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|-----------------|
| Alvord | Cullinan | Ingersoll | Shanley |
| Andrews | Curtis | Kennedy | Sheridan |
| Baker, B. F. | Cushing | Lefever | Sherman |
| Baker, C. S. | Davis | Liddle | Shuit |
| Beach | Deane | Lindsay | Sipp |
| Beates | Dougherty | Low | Skinner |
| Benedict, E. D. | Douglass | McAvoy | Slingerland |
| Bennett | Duell | McCabe | Steele |
| Bradley | Duguid | McCarthy | Tallmadge |
| Brennan | Ellis | Miller | Terpeny |
| Bridges | Evans | Moers | Terry |
| Brodsky | Ferris | Morgan | Thilemann |
| Carpenter, E. A. | Fish | Nowlan | Titus |
| Carpenter, I. S. | Fiske | O'Connor | Tozier |
| Case | Fitzgerald | Peck | Treanor |
| Catlin | Gillette | Phillips | Tuthill, H. H. |
| Chamberlain | Gorsline | Pitcher | Tuttle, R. M. |
| Chase | Gray | Potter | Van Valkenburgh |
| Chickering | Griggs | Potts | Warner |
| Clark | Gwinup | Roberts | Waterbury |
| Clowes | Hayes | Root | Wells, J. L. |
| Comstock | Hoffman | Russell | Weston |
| Congdon | Howland | Sanders | Wren |
| Cookinham | Husted | Seeley | Youngs |
| Crapser | | | |

On motion of Mr. Husted, and by unanimous consent, said bill was amended in words following:

Section 1, line 1. after the word "person" insert "not a passenger."
Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|-----------------|
| Alvord | Cushing | Hurd | Root |
| Andrews | Davis | Husted | Russell |
| Baker, B. F. | Deane | Ingersoll | Sanders |
| Baker, C. S. | Dougherty | Kennedy | Seeley |
| Beach | Douglass | Lefever | Sherman |
| Beates | Duell | Liddle | Shuit |
| Bennett | Duguid | Low | Sipp |
| Bradley | Ellis | McAvoy | Skinner |
| Brennan | Evans | McCabe | Slingerland |
| Bridges | Ferris | McCarthy | Steele |
| Brodsky | Fish | McDonald | Tallmadge |
| Bullock | Fiske | Miller | Terpeny |
| Carpenter, E. A. | Fitzgerald | Mooers | Terry |
| Carpenter, I. S. | Gillette | Morgan | Titus |
| Case | Gorsline | Nowlan | Tozier |
| Catlin | Gray | O'Connor | Tuthill, H. H. |
| Chamberlain | Griggs | Peck | Van Valkenburgh |
| Chase | Grosse | Phillips | Warner |
| Chickering | Gwinup | Pitcher | Waterbury |
| Clowes | Havens | Potter | Wells, J. L. |
| Congdon | Hayes | Potts | Weston |
| Cookinham | Hoffman | Roberts | Youngs |
| Curtis | Howland | | |

Ordered, That the Clerk deliver said bill to the Senate, and *request* their concurrence therein, as amended.

The Senate returned Assembly bill entitled "An act to establish a local court of civil jurisdiction in the city of Buffalo, to be called the municipal court of Buffalo, and to amend the charter of said city," with a message that the vote on the final passage of said bill had been reconsidered, and the bill, as amended, passed, with the following further amendments:

Strike out, in the proposed amendment, the words "city attorney" wherever they occur and insert "mayor."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 98 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|--------------|-----------|---------|-------------|
| Alvord | Cushing | Lefever | Shanley |
| Andrews | Davis | Liddle | Sheridan |
| Baker, B. F. | Deane | Lindsay | Sherman |
| Baker, C. S. | Dougherty | Low | Shuit |
| Beach | Douglass | McAvoy | Skinner |
| Beates | Duell | McCabe | Slingerland |

| | | | |
|------------------|------------|----------|-----------------|
| Benedict, T. E. | Duguid | McCarthy | Steele |
| Bennett | Evans | McDonald | Tallmadge |
| Bradley | Ferris | Miller | Terpeny |
| Brennan | Fish | Mooers | Terry |
| Bridges | Fiske | Morgan | Titus |
| Brodsky | Fitzgerald | Nowlan | Tozier |
| Bullock | Gillette | O'Brien | Travis |
| Carpenter, E. A. | Gorsline | O'Connor | Treanor |
| Carpenter, I. S. | Gray | Peck | Tully |
| Case | Griggs | Phillips | Tuthill, H. H. |
| Catlin | Grosse | Pitcher | Van Valkenburgh |
| Chamberlain | Gwinup | Potter | Warner |
| Chickering | Hayes | Potts | Waterbury |
| Clark | Hoffman | Roberts | Wells, D. A. |
| Clowes | Howland | Root | Wells, J. L. |
| Comstock | Hurd | Russell | Weston |
| Congdon | Husted | Sanders | Wren |
| Cookinham | Ingersoll | Seeley | Youngs |
| Curtis | Kennedy | | |

Ordered. That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

A message was received from the Governor in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }
ALBANY, May 17, 1880. }

To the Assembly :

Pursuant to a joint resolution of the Senate and Assembly, Assembly bill No. 611, entitled "An act to provide for the protection and preservation of fish in the county of Monroe, State of New York," is herewith returned for amendment.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 100 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Crapser | Kennedy | Sherman |
| Andrews | Curtis | Lefever | Shuit |
| Baker, B. F. | Cushing | Liddle | Sipp |
| Baker, C. S. | Davis | Lindsay | Skinner |
| Beach | Deane | Low | Slingerland |
| Beates | Dougherty | McAvoy | Tallmadge |
| Benedict, T. E. | Douglass | McCabe | Terpeny |
| Bennett | Duell | McCarthy | Terry |
| Bradley | Duguid | McDonald | Thilemann |
| Brennan | Ellis | Miller | Titus |
| Bridges | Evans | Mitchell | Tormey |
| Brodsky | Ferris | Mooers | Tozier |
| Bullock | Fish | Nowlan | Travis |
| Carpenter, E. A. | Fiske | O'Connor | Treanor |
| Carpenter, I. S. | Gillette | Peck | Tuthill, H. H. |
| Case | Gorsline | Phillips | Tuttle, R. M. |
| Catlin | Gray | Pitcher | Van Valkenburgh |
| Chamberlain | Griggs | Potter | Varnum |

| | | | |
|------------|-----------|----------|--------------|
| Chickering | Grosse | Potts | Warner |
| Childs | Hayes | Roberts | Waterbury |
| Clark | Hoffman | Root | Wells, D. A. |
| Clowes | Howland | Russell | Wells, J. L. |
| Comstock | Hurd | Sanders | Weston |
| Congdon | Husted | Seeley | Wren |
| Cookinham | Ingersoll | Sheridan | Youngs |

On motion of Mr. C. S. Baker, and by unanimous consent, said bill was amended in words following:

Section 1, line 12, after the word "less" insert the words "than one month nor more;" same section and line, after the words "fine of" insert the words "not exceeding;" same section and line, after the word "dollars" insert the words "in the discretion of the court;" same section, line 14, strike out the words "less than \$100 nor;" same section, line 15, after the word "offense" insert the words "in the discretion of the court."

Section 2, line 4, after the word "fined" insert the words "not exceeding;" same section, line 5, after the words "period of" insert the words "not exceeding;" same section and line, after the words "six months" insert the words "in the discretion of the court;" same section, lines 6 and 7, strike out from and including the word "not," line 6, to and including the word "and," line 7; after the word "offense," line 7, same section, insert the words "in the discretion of the court."

Section 3, lines 2 and 3, strike out the words "shall be forfeited and are hereby declared contraband and shall" and insert in lieu thereof the words "may in the discretion of the court or justice be adjudged forfeited and contraband, and may by the court or justice be ordered to."

Correct the title by striking out the words "State of New York."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 96 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|-----------------|
| Alvord | Cookinham | Hurd | Russell |
| Andrews | Curtis | Husted | Sanders |
| Baker, B. F. | Cushing | Ingersoll | Seeley |
| Baker, C. S. | Davis | Kennedy | Sheridan |
| Beach | Deane | Lefever | Sherman |
| Beates | Dougherty | Liddle | Shuit |
| Benedict, T. E. | Douglass | Lindsay | Sipp |
| Bennett | Duell | Low | Skinner |
| Bradley | Duguid | McAvoy | Slingerland |
| Brennan | Ellis | McCabe | Tallmadge |
| Bridges | Evans | McCarthy | Terpeny |
| Brodsky | Ferris | McDonald | Terry |
| Bullock | Fish | Miller | Titus |
| Carpenter, E. A. | Fiske | Mitchell | Tormey |
| Carpenter, I. S. | Fitzgerald | Moors | Tozier |
| Case | Gillette | Nowlan | Travis |
| Catlin | Gorsline | O'Connor | Treanor |
| Chase | Gray | Peck | Van Valkenburgh |

| | | | |
|------------|---------|----------|--------------|
| Chickering | Griggs | Phillips | Varnum |
| Childs | Gwinup | Pitcher | Warner |
| Clark | Havens | Potter | Waterbury |
| Clowes | Hayes | Potts | Wells, D. A. |
| Comstock | Hoffman | Roberts | Wells, J. L. |
| Congdon | Howland | Root | Weston |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

By unanimous consent,

Mr. Chickering offered for the consideration of the House a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor requesting the return of Assembly bill No. 153, entitled "An act declaring Independence river and its tributaries in Lewis and Herkimer counties a public highway," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Terry introduced a bill entitled "An act relating to leases of railroads and railroad property within this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent,

Mr. Low introduced a bill entitled "An act to amend chapter 373, Laws of 1876, entitled an act to provide for the formation of road districts in certain cases within the corporate jurisdiction of plank and turnpike road companies, and for the maintenance and improvement of roads therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

The committee of conference, to which was referred the matter in difference between the two Houses upon the Senate bill entitled "An act in relation to the port and harbor of New York, and the waters near the same," beg leave respectfully to report that they met and duly considered the matter in difference, and have agreed to recommend that the Senate concur in the following amendments to the bill as proposed by the Assembly.

Section 1, line 11, after the word "within" strike out "five" and insert in lieu thereof the word "three."

Line 12, same section, after the word "Hook" insert "or Long Island or New Jersey shore."

Line 13, same section, after the word "Sound" insert the words "and all waters adjacent thereto."

Strike out all of section 4, and make sections 5 and 6 sections 4 and 5, respectively.

Section 5, strike out all after the word "monthly" in line 17.

And your committee have further agreed to recommend that the Assembly do recede from the following amendments to the bill as proposed and adopted by the Assembly, namely:

In section 5, line 1, after the word "the," and before the word "commissioners," insert "police," and in same section, lines 1 and 2, strike out the words "sinking fund of the."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 102 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Davis | Low | Sipp |
| Andrews | Deane | McAvoy | Skinner |
| Baker, B. F. | Dougherty | McCabe | Slingerland |
| Baker, C. S. | Douglass | McCarthy | Steele |
| Beach | Duell | McDonald | Tallmadge |
| Beates | Duguid | Miller | Terpeny |
| Bennett | Ellis | Mitchell | Terry |
| Bradley | Evans | Mooers | Thilemann |
| Brennan | Ferris | Morgan | Titus |
| Bridges | Fish | Newman | Tormey |
| Brodsky | Fiske | Nowlan | Tozier |
| Carpenter, E. A. | Fitzgerald | O'Connor | Travis |
| Carpenter, I. S. | Gillette | Peck | Treanor |
| Case | Gorsline | Phillips | Tully |
| Catlin | Gray | Pitcher | Tuthill, H. H. |
| Chamberlain | Griggs | Potter | Tuttle, R. M. |
| Chickering | Hayes | Potts | Van Valkenburg |
| Childs | Hoffman | Roberts | Varnum |
| Clanoy | Howland | Root | Warner |
| Clark | Hurd | Russell | Waterbury |
| Clowes | Husted | Sanders | Wells, D. A. |
| Comstock | Ingersoll | Seeley | Wells, J. L. |
| Congdon | Kennedy | Sheridan | Weston |
| Cookinham | Lefever | Sherman | Wren |
| Curtis | Liddle | Shuit | Youngs |
| Cushing | Lindsay | | |

Ordered, That the Clerk return said bill to the Senate, with a message requesting their concurrence in the amendments offered by the conference committee.

The Senate returned Assembly bill entitled "An act to reduce and fix the rate of interest on bonds and mortgages held by the commissioners of the United States Deposit Fund in the several counties of the State, and to amend, etc.," with a message that they have passed the same, with the following amendments:

Section 1, line 1, strike out the words "bonds and ;" line 9, after "statutes" insert "entitled of the United States Deposit Fund."

Strike out all of section 3; make section 4 section 3.

Amend the title as follows: Add at end thereof, "And to amend title 14 of chapter 9 of part 1 of the Revised Statutes, entitled 'of the United States Deposit Fund.'"

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 97 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|---------|---------|-----------|----------|
| Alvord | Curtis | Ingersoll | Sheridan |
| Andrews | Cushing | Kennedy | Sherman |

| | | | |
|------------------|------------|----------|-----------------|
| Baker, B. F. | Davis | Lefever | Shuit |
| Baker, C. S. | Deane | Liddle | Sipp |
| Beach | Dougherty | Low | Skinner |
| Beates | Douglass | McAvoy | Slingerland |
| Bennett | Duell | McCabe | Tallmadge |
| Bradley | Duguid | McCarthy | Terpeny |
| Brennan | Ellis | McDonald | Terry |
| Bridges | Evans | Miller | Titus |
| Brodsky | Ferris | Mitchell | Tormey |
| Carpenter, E. A. | Fish | Mooers | Tozier |
| Carpenter, I. S. | Fiske | Newman | Travis |
| Case | Fitzgerald | Nowlan | Treanor |
| Catlin | Gorsline | O'Connor | Tully |
| Chickering | Gray | Peck | Van Valkenburgh |
| Childs | Griggs | Pitcher | Warner |
| Clark | Grosse | Potter | Waterbury |
| Clowes | Havens | Potts | Wells, D. A. |
| Cohen | Hayes | Roberts | Wells, J. L. |
| Comstock | Hoffman | Root | Weston |
| Cushing | Howland | Russell | Wiley |
| Cookinham | Hurd | Sanders | Wren |
| Crapsier | Husted | Seeley | Youngs |
| Cullinan | | | |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act to amend chapter 297 of the Laws of 1862, entitled 'An act to incorporate the fire department of the village of Owego,'" with a message that they have concurred in the passage of the same, with the following amendment:

Page 2, line 2, engrossed bill, after the word "by" insert "notice in."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 100 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|-----------------|
| Alvord | Curtis | Ingersoll | Sherman |
| Andrews | Cushing | Kennedy | Shuit |
| Baker, B. F. | Davis | Lefever | Sipp |
| Baker, C. S. | Deane | Liddle | Skinner |
| Beach | Dougherty | Lindsay | Slingerland |
| Beates | Douglass | Low | Steele |
| Benedict, E. D. | Duell | McAvoy | Tallmadge |
| Bennett | Duguid | McCabe | Terpeny |
| Bradley | Ellis | McCarthy | Terry |
| Brennan | Evans | McDonald | Titus |
| Bridges | Ferris | Miller | Tormey |
| Brodsky | Fish | Mitchell | Tozier |
| Carpenter, E. A. | Fiske | Mooers | Travis |
| Carpenter, I. S. | Fitzgerald | Newman | Tully |
| Case | Gillette | Nowlan | Tuthill, H. H. |
| Catlin | Gorsline | O'Connor | Tuttle, R. M. |
| Chickering | Gray | Peck | Van Valkenburgh |
| Childs | Griggs | Pitcher | Varnum |
| Clark | Grosse | Potter | Warner |

| | | | |
|-----------|---------|---------|--------------|
| Clowes | Gwinup | Potts | Waterbury |
| Cohen | Hayes | Roberts | Wells, D. A. |
| Comstock | Hoffman | Root | Wells, J. L. |
| Congdon | Howland | Russell | Weston |
| Cookinham | Hurd | Sanders | Wren |
| Crapser | Husted | Seeley | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned the bill entitled "An act to amend subdivision 1 of section 9 of article 2, title 4, chapter 6, part 1 of the Revised Statutes, in relation to elections and ballots," with a message that they do assent to a committee of conference thereon, and have appointed as such committee on their part Messrs. Strahan, Halbert and Murtha.

The Senate returned Assembly bill entitled "An act concerning the supply of pure and wholesome water for the city of New York," with a message that they do non-concur in the passage of the same.

The Senate returned Assembly bill entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages, so far as said act relates to the village of Wolcott,'" with a message that they have concurred in the same, with the following amendments:

Section 1, line 4, after the word "villages" insert "as amended by chapter 628 of the Laws of 1874."

Amend the title so as to read as follows:

"An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages, as amended by chapter 628 of the Laws of 1874, so far as said act relates to the village of Wolcott.'"

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative.

•
 { AYES 97 }
 { NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Davis | Lindsay | Sheridan |
| Andrews | Deane | Low | Sherman |
| Baker, B. F. | Dougherty | McAvo | Shuit |
| Baker, C. S. | Douglass | McCabe | Sipp |
| Beach | Duell | McCarthy | Skinner |
| Beates | Duguid | McDonald | Slingerland |
| Bradley | Evans | Mead | Tallmadge |
| Brennan | Ferris | Miller | Terpeny |
| Bridges | Fish | Mitchell | Terry |
| Brodsky | Fitzgerald | Mooers | Titus |
| Bullock | Gillette | Morgan | Tozier |
| Carpenter, E. A. | Gorsline | Newman | Travis |
| Carpenter, I. S. | Gray | Nowlan | Treanor |
| Case | Grosse | O'Connor | Tuthill, H. H. |
| Catlin | Gwinup | Peck | Tuttle, R. M. |
| Chamberlain | Hayes | Pitcher | Van Valkenburgh |
| Chickering | Hoffman | Potter | Varnum |
| Clark | Howland | Potts | Warner |
| Clowes | Hurd | Roberts | Waterbury |
| Comstock | Husted | Root | Wells, D. A. |
| Congdon | Ingersoll | Russell | Wells, J. L. |
| Cookinham | Kennedy | Sanders | Weston |
| Crapser | Lefever | Seeley | Wren |
| Curtis | Liddle | Shanley | Youngs |
| Cushing | | | |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Varnum (introductory No. 1182), entitled "An act to facilitate the speedy and economical disposition of refuse from the city of New York," reported the same complete by order of the House, which report was agreed to and said bill ordered to be engrossed for a third reading.

The Senate returned Assembly bill entitled "An act to exempt the counties of Saratoga, Albany and Fulton from the provisions of act chapter 733, Laws of 1872, entitled 'An act making appropriations for certain expenses of government, and for supplying deficiencies in further appropriations, so far as it authorizes the employment of assistant counsel to the district attorney of any county,'" with a message that they have concurred in the passage of the same with the following amendments, viz.:

Section 1, line 1, after the word "Albany" insert "Jefferson."

Amend title by inserting "Jefferson" after the word "Albany" in line 2.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative.

{ AYES 96 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|-----------------|
| Alvord | Curtis | Ingersoll | Seeley |
| Andrews | Cushing | Kennedy | Sheridan |
| Baker, B. F. | Davis | Lefever | Sherman |
| Baker, O. S. | Dougherty | Liddle | Shuit |
| Beates | Douglass | Low | Sipp |
| Bennett | Duell | McAvoy | Skinner |
| Bradley | Duguid | McCabe | Slingerland |
| Brennan | Ellis | McCarthy | Tallmadge |
| Bridges | Evans | McDonald | Terry |
| Brodsky | Ferris | Miller | Thilemann |
| Carpenter, E. A. | Fish | Mitchell | Titus |
| Carpenter, I. S. | Fiske | Mooers | Tozier |
| Case | Fitzgerald | Newman | Travis |
| Catlin | Gillette | Nowlan | Tully |
| Chickering | Gorsline | O'Connor | Tuthill, H. H. |
| Childs | Gray | Peck | Van Valkenburgh |
| Clark | Griggs | Phillips | Varnum |
| Clowes | Grosse | Pitcher | Warner |
| Cohen | Gwinup | Potter | Waterbury |
| Comstock | Hayes | Potts | Wells, D. A. |
| Congdon | Hoffman | Roberts | Wells, J. L. |
| Cookinham | Howland | Root | Weston |
| Crapser | Hurd | Russell | Wren |
| Cullinan | Husted | Sanders | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals for the fiscal year, commencing on the first day of October, 1880, and to provide for

a contingent deficiency in the revenues of the canals for the calendar year 1880," with a message that they have concurred in the passage of the same, with the following amendments:

Insert after line 54, section 1, printed bill, the following:

"To pay an award made by the Canal Appraisers on the 19th day of March, 1880, in favor of Harriet Jenkins, the sum of \$725.50 is hereby appropriated, payable on the warrant of the Auditor out of any unexpended moneys in the treasury belonging to the canal fund and applicable therefor."

Also, insert after line 76, section 1, printed bill, the following:

"For raising and repairing road-bed, in the town of Fort Ann, pursuant to chapter 544 of the Laws of 1870, the sum of \$1,500, or so much thereof as may be necessary."

"For the drainage of lands belonging to Isaac U. Cole, situate in the town of Murray, Orleans county, near McGuire's bridge; the drainage of which is cut off by the Erie canal, by cleaning out and extending a ditch made by the State for such drainage, or by such other method for draining the same as the Superintendent of Public Works may deem best, the sum of \$1,000, or so much thereof as may be necessary."

Also, insert after line 10, section 2, printed bill, the following:

§ 3. In addition to the sum of \$633,901.35 appropriated by act chapter 269 of the Laws of 1879, for the payment of the expenses of lock tending and the ordinary repairs of the canals for the fiscal year ending September 30, 1880, the further sum of \$46,151.46 is hereby appropriated for the ordinary repairs from the revenues of said fiscal year; and any portion of the sum of \$40,000 appropriated in said act for the payment of incidental and miscellaneous charges which may not be needed therefor may also be applied and expended, if necessary, in the ordinary repairs of the canals for the current fiscal year.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 104 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|----------------|
| Alvord | Curtis | Ingersoll | Seeley |
| Andrews | Cushing | Kennedy | Sheridan |
| Baker, B. F. | Davis | Lefever | Sherman |
| Baker, C. S. | Deane | Liddle | Shuit |
| Beach | Dougherty | Lindsay | Sipp |
| Beates | Douglass | Low | Skinner |
| Benedict, T. E. | Duell | McAvoy | Slingerland |
| Bennett | Duguid | McCabe | Tallmadge |
| Bradley | Ellis | McCarthy | Terpeny |
| Brennan | Evans | McDonald | Terry |
| Bridges | Ferris | Mead | Titus |
| Brodaky | Fish | Miller | Tozier |
| Carpenter, E. A. | Fitzgerald | Mitchell | Travis |
| Carpenter, I. S. | Gillette | Mooers | Treanor |
| Case | Gorsline | Morgan | Tuthill, H. H. |
| Catlin | Gray | Newman | Tuttle, R. M. |
| Chamberlain | Griggs | Nowlan | Van Valkenburg |
| Chickering | Grosse | O'Connor | Varnum |

| | | | |
|-----------|---------|---------|--------------|
| Childs | Gwinup | Peck | Warner |
| Clark | Hagan | Pitcher | Waterbury |
| Clowes | Havens | Potter | Wells, D. A. |
| Comstock | Hayes | Potts | Wells, J. L. |
| Congdon | Hoffman | Roberts | Weston |
| Cookinham | Howland | Root | Wiley |
| Costello | Hurd | Russell | Wren |
| Crapser | Husted | Sanders | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act to authorize and direct the county clerk of Richmond county to record certain papers now on file in the Richmond county clerk's office," with a message that they have concurred in the passage of the same, with the following amendments :

Section 1, line 4, engrossed bill, after word "mortgages" insert "which have been properly acknowledged so as to entitle the same to be recorded."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 73 }
{ NOES 4 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|--------------|
| Alvord | Comstock | Low | Sipp |
| Andrews | Cookinham | McAvoy | Skinner |
| Baker, B. F. | Deane | Mead | Slingerland |
| Baker, C. S. | Douglass | Miller | Tallmadge |
| Beach | Evans | Mitchell | Terpeny |
| Beates | Ferris | Newman | Terry |
| Benedict, E. D. | Fish | Nowlan | Titus |
| Benedict, T. E. | Gillette | Pitcher | Torney |
| Bradley | Gray | Potter | Tozier |
| Brennan | Grosse | Potts | Travis |
| Bridges | Hagan | Roberts | Treanor |
| Brodsky | Hayes | Root | Varnum |
| Carpenter, E. A. | Howland | Russell | Warner |
| Carpenter, I. S. | Husted | Sanders | Waterbury |
| Case | Kennedy | Seeley | Wells, D. A. |
| Chickering | Lefever | Shanley | Wells, J. L. |
| Childs | Liddle | Sherman | Weston |
| Clark | Lindsay | Shuit | Wren |
| Clowes | | | |

Those who voted in the negative, were

| | | | |
|-------|-------|--------|--------|
| Cohen | Davis | Gwinup | Havens |
|-------|-------|--------|--------|

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act to establish a ferry from the farm of Henry G. Burleigh, of the county of Essex, across Lake Champlain," with a message that they have concurred in the same, with the following amendments:

Section 5, of engrossed bill, strike out all down to and including the word "that" in the 13th line.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Cookinham | Lefever | Sherman |
| Andrews | Curtis | Liddle | Shuit |
| Baker, B. F. | Davis | Lindsay | Sipp |
| Baker, C. S. | Deane | Low | Skinner |
| Beach | Dougherty | McAvoy | Slingerland |
| Beates | Douglass | McCabe | Tallmadge |
| Benedict, E. D. | Duell | McCarthy | Terpeny |
| Bennett | Duguid | McDonald | Terry |
| Bradley | Ellis | Miller | Titus |
| Brennan | Evans | Mitchell | Tormey |
| Bridges | Ferris | Mooers | Tozier |
| Brodsky | Fish | Newman | Travis |
| Carpenter, E. A. | Gillette | Nowlan | Tuthill, H. H. |
| Carpenter, I. S. | Gorsline | O'Connor | Tuttle, R. M. |
| Case | Gray | Peck | Van Valkenburgh |
| Oatlin | Griggs | Pitcher | Varnum |
| Chamberlain | Gwinup | Potter | Warner |
| Chickering | Hayes | Potts | Waterbury |
| Childs | Hoffman | Roberts | Wells, D. A. |
| Clark | Howland | Root | Wells, J. L. |
| Clowes | Hurd | Russell | Weston |
| Cohen | Husted | Sanders | Wren |
| Comstock | Ingersoll | Seeley | Youngs |
| Congdon | Kennedy | Sheridan | |

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act in relation to the county treasurers in the counties of Monroe and Seneca," with a message that they have passed the same, with the following amendments :

Section 2, line 10, after the word "counties" insert "and in the city of Rochester to the treasurer thereof."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 96 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|----------|-------------|
| Alvord | Cookinham | Kennedy | Sherman |
| Andrews | Curtis | Lefever | Shuit |
| Baker, B. F. | Cushing | Liddle | Sipp |
| Baker, C. S. | Davis | Low | Skinner |
| Beach | Deane | McAvoy | Slingerland |
| Beates | Dougherty | McCabe | Tallmadge |
| Benedict, E. D. | Douglass | McCarthy | Terpeny |
| Bennett | Duell | McDonald | Terry |
| Bradley | Duguid | Mead | Titus |
| Brennan | Ellis | Miller | Tormey |

| | | | |
|------------------|-----------|----------|-----------------|
| Bridges | Evans | Mitchell | Tozier |
| Brodsky | Ferris | Newman | Travis |
| Carpenter, E. A. | Fish | Nowlan | Tully |
| Carpenter, I. S. | Gillette | O'Connor | Tuthill, H. H. |
| Case | Gorsline | Peck | Tuttle, R. M. |
| Catlin | Gray | Pitcher | Van Valkenburgh |
| Chamberlain | Griggs | Potter | Warner |
| Chickering | Gwinup | Potts | Waterbury |
| Childs | Hayes | Roberts | Wells, D. A. |
| Clark | Hoffman | Root | Wells, J. L. |
| Clowes | Howland | Russell | Weston |
| Cohen | Hurd | Sanders | Wiley |
| Comstock | Husted | Seeley | Wren |
| Congdon | Ingersoll | Sheridan | Youngs |

Ordered, That the Clerk return said bill to the Senate with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act to amend chapter 431 of the Laws of 1875, entitled 'An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof,'" with a message that they have concurred in the passage of the same, with the following amendments:

Strike out all after the enacting clause, and insert as follows:

Section 1. Section 1 of chapter 431 of the Laws of 1879, entitled "An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof," is hereby amended so as to read as follows:

§ 1. Section 60 of article 4 of title 1, chapter 16 of the Revised Statutes, is amended so as to read as follows:

§ 60. In all cases of the alteration of any road or the laying out of any new road, except where the same is altered, opened or laid out with the consent in writing of the owner or owners of the lands to be taken for such alteration or opening; the person or persons applying for the same shall serve a notice on the town clerk of the town and on a justice of the peace and the commissioner or commissioners of highways thereof, asking for a jury to certify to the necessity of the same, and specifying a time, not less than ten nor more than twenty days from the time of serving such notice, when such jury will be drawn at the clerk's office of the town by the town clerk thereof, and shall notify in writing each of the owners or occupants through which such alterations or new road is proposed to be laid, of the time and place of drawing such jury, by personally serving such notice on such owner or occupant at least five days before the drawing of such jury, or by mailing a copy thereof at least eight days before such drawing to such owner or owners, in the manner prescribed by law for the service of legal notices. At the time and place mentioned, the town clerk of such town having received such notice that such jury is to be drawn, shall, in the presence of a justice of the peace or one of the commissioners of highways of the town, deposit in a box the names of all persons then residents of his town, whose names are on the lists filed in said town clerk's office, of those selected and returned as jurors, pursuant to article second, title 4, chapter 7, part third of the Revised Statutes, who are not interested in the lands through which such road is to pass or be located, nor of kin to the owner thereof; and shall publicly, in the presence of such justice of the peace or commissioner, draw therefrom the names of

twelve persons, and shall make a certificate of such names and the purposes for which they were drawn, and shall deliver the same to the person asking for the jury, and the applicant for such jury shall pay to the said town clerk one dollar for drawing such jury. The applicant for such road or alteration of a road, on receiving such certificate, shall deliver the same to a justice of the peace of the town wherein the road is to be laid; and it shall be the duty of such justice forthwith to issue a summons to one of the constables of said town, directing him to summons the persons named in said certificate, specifying a time and place in said summons at which the persons to be summoned shall meet, which shall not be less than ten nor more than twenty days from the issuing thereof; and in case the owner or owners of any of the lands through which said road or alterations is proposed to be located shall be a non-resident, it shall be the duty of such justice to notify such owner or owners, by mail, at least eight days before the meeting of such jury of the time and place of such meeting; and if any person so summoned to attend as a jury shall neglect or refuse to attend at the time and place designated in such summons, the person or persons so neglecting or refusing to attend shall be liable, unless a sufficient excuse be established, to pay a fine of five dollars, which shall be sued for and recovered by the overseers of the poor of said town, and such fine shall be applied by them to the support of the poor thereof. If nine or more of the persons shall have been so drawn, not interested in the lands through which the road is to be laid, nor kin to the owners thereof, shall appear at the time and place specified in the summons, they shall then be sworn by the justice of the peace who issued such summons, well and truly to certify as to the necessity of the highway applied for, and if such justice of the peace shall refuse or neglect to attend at the time and place mentioned in said summons, such oath may be administered to such jurors by any other justice of the peace of said county; and the justice of the peace swearing such jury shall receive therefor, from such applicant, the sum of two dollars. Such jury shall then personally examine the route of such highways, and shall hear any reason that may be offered for or against such proposed route or alteration. If nine or more of the number thereof shall be of opinion that such highway or alteration of a highway is necessary and proper, they shall make and subscribe a certificate in writing to that effect, which shall be delivered to the commissioners of the highways of the town. But if such number thereof shall not certify that such road or alteration is necessary, then no application for such road or alteration shall be made again in three months. Every juror shall be entitled to receive for his services as such juror the sum of fifty cents, to be paid by such applicant; and the constable who may summon such jury shall receive therefor, from such applicant therefor, ten cents for summoning each juror summoned, and ten cents a mile for each mile actually and necessarily traveled in summoning such jury, in going from and returning to his place of residence therefor. If nine or more of such jurors shall make a certificate that such highway or alteration is necessary and proper, then the cost of such proceeding as hereinbefore provided shall be a charge against such town in favor of such applicant. The commissioner of highways shall decide upon such application for such road or alteration within thirty days after the decision of the jury or the service upon them of the

consent in writing of the owner or owners of the land to be taken for such alterations or opening, by an order in writing, which shall be filed in the office of the town clerk of such town; where two or more jurors have failed to agree upon the necessity and propriety of the alteration or laying out of such highway; the jury to certify to the necessity of such highway, on the next application, shall be drawn at the clerk's office of any town in said county, not adjoining the town in which such highway is to be altered, opened or laid out; the same notices shall be served upon the same parties, and the same length of time and in the same manner, and the same proceedings in every respect shall be had thereon as are herein required upon a first application, except that the notice asking for such jury shall be served upon a justice of the peace and the town clerk of the town for which such jury is herein required to be drawn.

Add as section 2 the following:

§ 2. This act shall take effect immediately.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Deane | Low | Shuit |
| Andrews | Dougherty | McAvoy | Sipp |
| Baker, B. F. | Douglass | McCabe | Skinner |
| Baker, C. S. | Duell | McCarthy | Slingerland |
| Beach | Duguid | McDonald | Tallmadge |
| Beates | Ellis | Mead | Terpeny |
| Benedict, E. D. | Evans | Miller | Terry |
| Benedict, T. E. | Ferris | Mooers | Titus |
| Bennett | Fish | Morgan | Tormey |
| Bradley | Gillette | Newman | Tozier |
| Brennan | Gorsline | Nowlan | Travis |
| Bridges | Gray | O'Connor | Treanor |
| Brodsky | Gwinup | Peck | Tuthill, H. H. |
| Carpenter, E. A. | Havens | Pitcher | Tuttle, R. M. |
| Case | Hayes | Potter | Van Valkenburgh |
| Catlin | Hoffman | Potts | Warner |
| Chamberlain | Howland | Roberts | Waterbury |
| Clark | Hurd | Röot | Wells, D. A. |
| Clowes | Husted | Russell | Wells, J. L. |
| Comstock | Ingersoll | Sanders | Weston |
| Cookinham | Kennedy | Seeley | Wiley |
| Curtis | Lefever | Sheridan | Wren |
| Cushing | Liddle | Sherman | Youngs |
| Davis | Lindsay | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate sent for concurrence the bills entitled as follows:

"An act to provide for excavating and tunneling and bridging for transportation purposes within villages and cities of this State," which was read the first time, and by unanimous consent was also read the second time.

Mr. Hayes moved to substitute said bill for Assembly bill No. 627, now on order of third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

"An act to provide for the payment of certain awards for the widening of Prospect avenue, in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Newman, and by unanimous consent, said bill was ordered to a third reading.

"An act in relation to plankroads and turnpike companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to incorporate the Order Germania, New York," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Bennett, and by unanimous consent, said bill was ordered to a third reading.

Leave of absence was granted to Mr. Bullock.

Pursuant to ninth joint rule Mr. Speaker announced the order of business, third reading of bills.

Senate bill entitled "An act in relation to assessments for taxes in Long Island City," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }
{ NOES 6 }

Those who voted in the affirmative, were .

| | | | |
|------------------|-----------|-----------|----------------|
| Alvord | Clowes | Gorsline | Russell |
| Andrews | Cohen | Gray | Sanders |
| Baker, B. F. | Comstock | Griggs | Seeley |
| Baker, C. S. | Congdon | Grosse | Sheridan |
| Beach | Cookinham | Gwinup | Shuit |
| Beates | Crapser | Hagan | Sipp |
| Benedict, E. D. | Curtis | Hayes | Skinner |
| Benedict, T. E. | Cushing | Hoffman | Slingerland |
| Bennett | Davis | Hurd | Terry |
| Bradley | Deane | Husted | Tozier |
| Brennan | Dougherty | Ingersoll | Treanor |
| Bridges | Douglass | Lefever | Tully |
| Brodsky | Duell | Liddle | Tuthill, H. H. |
| Carpenter, E. A. | Duguid | McAvoy | Warner |
| Carpenter, I. S. | Ellis | Pitcher | Waterbury |
| Case | Evans | Potter | Wells, D. A. |
| Catlin | Ferris | Potts | Wells, J. L. |
| Chickering | Fish | Roberts | Weston |
| Clancy | Fiske | Root | Wren |
| Clark | | | |

Those who voted in the negative, were

| | | | |
|-------------|---------|------|---------|
| Chamberlain | Havens | Peck | Sherman |
| Gillette | Kennedy | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to amend chapter 178 of the Laws of 1867, entitled 'An act to amend an act entitled 'An act to incorporate

the village of Moravia, in the county of Cayuga, and to repeal existing laws incorporating said village," passed March 15, 1859," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Curtis | Lefever | Shanley |
| Andrews | Davis | Liddle | Sherman |
| Baker, B. F. | Deane | Lindsay | Shuit |
| Baker, C. S. | Dougherty | Low | Sipp |
| Beach | Douglass | McCabe | Skinner |
| Beates | Duell | McCarthy | Slingerland |
| Benedict, E. D. | Ellis | McDonald | Tallmadge |
| Benedict, T. E. | Evans | Miller | Terpeny |
| Brennan | Ferris | Mitchell | Terry |
| Bridges | Fish | Mooers | Titus |
| Brodsky | Gorsline | Morgan | Treanor |
| Carpenter, E. A. | Gray | Nowlan | Tuthill, H. H. |
| Carpenter, I. S. | Grosse | O'Connor | Tuttle, R. M. |
| Oase | Gwinup | Peck | Varnum |
| Catlin | Hagan | Pitcher | Warner |
| Chickering | Havens | Potter | Waterbury |
| Childs | Hayes | Potts | Wells, D. A. |
| Clark | Hoffman | Roberts | Wells, J. L. |
| Clowes | Howland | Root | Weston |
| Comstock | Hurd | Russell | Wiley |
| Oongdon | Husted | Sanders | Wren |
| Cookinham | Ingersoll | Seeley | Youngs |
| Crapser | Kennedy | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to amend section 1323 of the Code of Civil Procedure," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|----------|-------------|
| Andrews | Curtis | Liddle | Shuit |
| Baker, B. F. | Cushing | Lindsay | Sisson |
| Beach | Davis | Low | Skinner |
| Beates | Deane | McAvoy | Slingerland |
| Benedict, E. D. | Dougherty | McDonald | Steele |
| Benedict, T. E. | Douglass | McTernan | Tallmadge |
| Bradley | Ellis | Mead | Terpeny |
| Brennan | Evans | Miller | Terry |
| Bridges | Fish | Mooers | Thilemann |
| Brodsky | Fiske | Morgan | Titus |

| | | | |
|------------------|-----------|---------|----------------|
| Carpenter, E. A. | Gorsline | Newman | Tormey |
| Carpenter, I. S. | Gray | Nowlan | Travis |
| Catlin | Griggs | O'Brien | Treanor |
| Chamberlain | Gwinup | Peck | Tully |
| Chickering | Havens | Pitcher | Tuthill, H. H. |
| Clark | Hayes | Potter | Varnum |
| Clowes | Howland | Potts | Waterbury |
| Cohen | Hurd | Root | Wells, D. A. |
| Comstock | Husted | Russell | Wells, J. L. |
| Congdon | Ingersoll | Sanders | Wiley |
| Cookinham | Kennedy | Seeley | Wren |
| Crapser | Lefever | Sherman | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act for the better security of the public health and the prevention of nuisances in the county of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|--------------|
| Alvord | Curtis | Lefever | Seeley |
| Andrews | Cushing | Liddle | Shanley |
| Baker, C. S. | Davis | Low | Sherman |
| Beach | Deane | McAvoy | Sipp |
| Beates | Dougherty | McCabe | Skinner |
| Benedict, T. E. | Duell | McDonald | Slingerland |
| Bradley | Ellis | McTernan | Steele |
| Bridges | Evans | Miller | Tallmadge |
| Brodsky | Fish | Moors | Terpeny |
| Carpenter, E. A. | Fiske | Morgan | Terry |
| Carpenter, I. S. | Fitzgerald | Newman | Thilemann |
| Catlin | Gorsline | Nowlan | Titus |
| Chamberlain | Gray | O'Connor | Travis |
| Chase | Grosse | Peck | Treanor |
| Chickering | Gwinup | Pitcher | Tully |
| Childs | Havens | Potter | Varnum |
| Clark | Hayes | Potts | Waterbury |
| Cohen | Howland | Roberts | Wells, D. A. |
| Comstock | Hurd | Root | Wells, J. L. |
| Congdon | Husted | Russell | Weston |
| Cookinham | Ingersoll | Sanders | Wiley |
| Crapser | Kennedy | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to amend chapter 280 of the Laws of 1847, entitled 'An act in relation to the judiciary,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Cushing | Liddle | Sherman |
| Andrews | Davis | Lindsay | Shuit |
| Baker, B. F. | Dougherty | Low | Sipp |
| Beach | Duell | McAvoy | Sisson |
| Beates | Duguid | McCabe | Skinner |
| Benedict, E. D. | Ellis | McDonald | Slingerland |
| Bradley | Evans | McTernan | Steele |
| Bridges | Fish | Mead | Tallmadge |
| Brodsky | Fitzgerald | Miller | Terry |
| Carpenter, E. A. | Gillette | Mooers | Thilemann |
| Carpenter, I. S. | Gorsline | Morgan | Titus |
| Catlin | Grosse | Newman | Travis |
| Chamberlain | Gwinup | Nowlan | Treanor |
| Chase | Havens | Peck | Tully |
| Chickering | Hayes | Pitcher | Tuthill, H. H. |
| Clark | Hoffman | Potts | Varnum |
| Clowes | Howland | Roberts | Waterbury |
| Cohen | Hurd | Root | Wells, D. A. |
| Comstock | Husted | Russell | Wells, J. L. |
| Congdon | Ingersoll | Sanders | Weston |
| Cookinham | Kennedy | Seeley | Wiley |
| Crapser | Lefever | Shanley | Wren |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to amend chapter 330 of the Laws of 1850, entitled 'An act reincorporating the village of Little Falls by the name of Rockton,' and the laws amendatory thereof," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-------------|
| Alvord | Crapser | Kennedy | Sanders |
| Andrews | Cullinan | Lefever | Shanley |
| Baker, B. F. | Cushing | Liddle | Sheridan |
| Beach | Davis | Lindsay | Sherman |
| Beates | Duell | Low | Shuit |
| Benedict, T. E. | Duguid | McAvoy | Sisson |
| Bradley | Ellis | McCabe | Skinner |
| Brennan | Ferris | McDonald | Steele |
| Bridges | Fish | McTernan | Tallmadge |
| Brodsky | Fiske | Mead | Terry |
| Carpenter, E. A. | Fitzgerald | Miller | Thilemann |
| Carpenter, I. S. | Gillette | Mitchell | Titus |
| Catlin | Gorsline | Mooers | Tormey |
| Chamberlain | Grosse | Morgan | Travis |
| Chase | Gwinup | Newman | Tully |
| Chickering | Hagan | Nowlan | Tuthill, H. |
| Clancy | Havens | Parker | Varnum |

| | | | |
|-----------|-----------|---------|--------------|
| Clark | Hayes | Pitcher | Waterbury |
| Clowes | Howland | Potter | Wells, D. A. |
| Cohen | Hurd | Potts | Wells, J. L. |
| Comstock | Husted | Root | Weston |
| Congdon | Ingersoll | Russell | Wren |
| Cookinham | | | |

Those who voted in the negative, were

Peck

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to revise and amend title 11 of chapter 291 of the Laws of 1867, entitled 'An act to incorporate the city of Binghamton,' and the several acts amendatory thereof," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Cookinham | Lefever | Shanley |
| Andrews | Crapser | Liddle | Sherman |
| Baker, B. F. | Cullinan | Lindsay | Shuit |
| Beach | Curtis | Low | Skinner |
| Beates | Davis | McAvoy | Tallmadge |
| Benedict, E. D. | Duguid | McCabe | Terry |
| Benedict, T. E. | Ellis | McDonald | Thilemann |
| Bennett | Evans | McTernan | Titus |
| Bradley | Ferris | Mead | Tormey |
| Brennan | Fish | Miller | Fozler |
| Bridges | Fitzgerald | Moors | Travis |
| Brodsky | Gorsline | Morgan | Treanor |
| Carpenter, I. S. | Gillette | Newman | Tully |
| Oatlin | Gwinup | Nowlan | Tuthill, H. H. |
| Chase | Hagan | Peck | Van Valkenburgh |
| Chickering | Havens | Pitcher | Varnum |
| Clancy | Hayes | Potter | Waterbury |
| Clark | Howland | Potts | Wells, D. A. |
| Clowes | Hurd | Roberts | Wells, J. L. |
| Cohen | Husted | Root | Weston |
| Comstock | Ingersoll | Russell | Wiley |
| Congdon | Kennedy | Seeley | Wren |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to provide for the formation of county co-operative insurance companies," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Davis | McAvoy | Sherman |
| Andrews | Duguid | McCabe | Shuit |
| Beach | Ellis | McDonald | Skinner |
| Beates | Ferris | McTernan | Tallmadge |
| Benedict, E. D. | Fish | Mead | Terry |
| Benedict, T. E. | Fiske | Miller | Thilemann |
| Bradley | Fitzgerald | Mooers | Titus |
| Bridges | Gillette | Morgan | Tormey |
| Brodsky | Griggs | Newman | Travis |
| Carpenter, E. A. | Grosse | Nowlan | Treanor |
| Carpenter, I. S. | Gwinup | Peck | Tully |
| Chickering | Howland | Pitcher | Tuthill, H. H. |
| Clancy | Hurd | Potter | Varnum |
| Clowes | Husted | Potts | Waterbury |
| Cohen | Ingersoll | Roberts | Wells, D. A. |
| Comstock | Kennedy | Root | Wells, J. L. |
| Congdon | Lefever | Russell | Weston |
| Cookinham | Liddle | Seeley | Wiley |
| Crapser | Lindsay | Shanley | Wren |
| Curtis | Low | Sheridan | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to allow the continued use of a business name or designation in certain cases," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Crapser | Lefever | Shanley |
| Andrews | Curtis | Liddle | Sheridan |
| Baker, B. F. | Cushing | Lindsay | Sherman |
| Beach | Davis | Low | Shuit |
| Beates | Evans | McAvoy | Skinner |
| Bennett | Ferris | McCabe | Strait |
| Bradley | Fish | McDonald | Tallmadge |
| Brennan | Fitzgerald | McTernan | Terry |
| Bridges | Gillette | Mead | Thilemann |
| Brodsky | Gorsline | Miller | Titus |
| Carpenter, E. A. | Gray | Mooers | Travis |
| Carpenter, I. S. | Grosse | Morgan | Treanor |
| Catlin | Gwinup | Newman | Tully |
| Chamberlain | Hagan | Nowlan | Tuthill, H. H. |
| Chase | Havens | Peck | Varnum |
| Chickering | Hayes | Pitcher | Waterbury |
| Clancy | Hoffman | Potter | Wells, D. A. |
| Clark | Howland | Potts | Wells, J. L. |
| Clowes | Hurd | Roberts | Weston |
| Comstock | Husted | Root | Wiley |
| Congdon | Ingersoll | Russell | Wren |
| Cookinham | Kennedy | Seeley | |

Ordered. That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to incorporate the Grand Council of Royal Templars of Temperance of the State of New York, and to provide for the organization of select councils," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Crapsier | Lefever | Sherman |
| Andrews | Curtis | Liddle | Shuit |
| Baker, B. F. | Cushing | Lindsay | Skinner |
| Beach | Davis | Low | Slingerland |
| Beates | Deane | McAvoy | Tallmadge |
| Benedict, E. D. | Ellis | McCabe | Terry |
| Benedict, T. E. | Evans | McDonald | Thilemann |
| Bennett | Fish | McTernan | Titus |
| Bradley | Fiske | Mead | Tormey |
| Brennan | Fitzgerald | Miller | Tozier |
| Bridges | Gillette | Mooers | Travis |
| Brodsky | Gorsline | Morgan | Treanor |
| Carpenter, I. S. | Gwinup | Newman | Tully |
| Catlin | Hagan | Nowlan | Tuthill, H. H. |
| Chamberlain | Havens | Peck | Van Valkenburgh |
| Chase | Hayes | Pitcher | Varnum |
| Clancy | Hoffman | Potts | Waterbury |
| Clark | Howland | Roberts | Wells, D. A. |
| Clowes | Hurd | Root | Wells, J. L. |
| Cohen | Husted | Russell | Weston |
| Comstock | Ingersoll | Sanders | Wiley |
| Congdon | Kennedy | Seeley | Wren |
| Cookinham | | | |

Ordered. That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to release to the trustees of the Philadelphia Eye and Ear Infirmary any claim to the estate of Ann Margaret Shinn, deceased," was read a third time.

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|--------------|-----------|----------|-----------|
| Alvord | Congdon | Liddle | Sherman |
| Andrews | Cookinham | Lindsay | Skinner |
| Baker, B. F. | Cullinan | Low | Tallmadge |
| Baker, C. S. | Curtis | McAvoy | Terry |
| Beach | Davis | McCabe | Thilemann |
| Beates | Duguid | McDonald | Titus |
| Bennett | Ellis | McTernan | Tormey |

| | | | |
|------------------|------------|----------|-----------------|
| Bradley | Evans | Mead | Tozier |
| Brennan | Fish | Miller | Travis |
| Bridges | Fiske | Mooers | Treanor |
| Brodsky | Fitzgerald | Morgan | Tully |
| Carpenter, E. A. | Gillette | Newman | Tuthill, H. H. |
| Carpenter, I. S. | Gorsline | Nowlan | Van Valkenburgh |
| Catlin | Hagan | Peck | Varnum |
| Chamberlain | Havens | Pitcher | Walsh |
| Chase | Hayes | Potts | Waterbury |
| Chickering | Howland | Roberts | Wells, D. A. |
| Clanoy | Hurd | Root | Wells, J. L. |
| Clark | Husted | Russell | Weston |
| Clowes | Ingersoll | Sanders | Wiley |
| Cohen | Kennedy | Seeley | Wren |
| Comstock | Lefever | Sheridan | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 126 of the Laws of 1861, entitled 'An act to authorize the election of one overseer of the poor in the town of Saugerties, Ulster county,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Cookinham | Kennedy | Sheridan |
| Andrews | Crapeer | Lefever | Sherman |
| Baker, B. F. | Cullinan | Liddle | Shuit |
| Baker, O. S. | Curtis | Lindsay | Skinner |
| Beach | Davis | Low | Slingerland |
| Beates | Deane | McAvoy | Tallmadge |
| Benedict, E. D. | Douglass | McCabe | Terry |
| Bennett | Ellis | McDonald | Thilemann |
| Brennan | Evans | Mead | Titus |
| Bridges | Ferris | Miller | Tormey |
| Brodsky | Fish | Mooers | Tozier |
| Carpenter, E. A. | Fiske | Morgan | Travis |
| Carpenter, I. S. | Fitzgerald | Newman | Treanor |
| Catlin | Gillette | Nowlan | Tully |
| Chamberlain | Gorsline | Peck | Tuthill, H. H. |
| Chase | Gwinup | Pitcher | Waterbury |
| Chickering | Havens | Potts | Wells, D. A. |
| Clanoy | Hayes | Roberts | Wells, J. L. |
| Clark | Howland | Root | Weston |
| Clowes | Hurd | Russell | Wiley |
| Cohen | Husted | Sanders | Wren |
| Comstock | Ingersoll | Seeley | Youngs |
| Condon | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the bill entitled "An act to re-enact and amend the charter of the city of Yonkers, and to repeal chapter 579 of the Laws of 1875, entitled 'An act to provide for the construction

of sewers in the city of Yonkers," with a message that they had passed the same with the following amendments:

Page 2, section 3, line 2 of engrossed bill, after the word "except" insert the word "of."

Page 6, section 9, line 5, after the word "cities" insert the words "and a sealer of weights and measures."

Page 7, section 12, line 1, after the word "except" insert the word "of;" same section, line 10, strike out the word "and."

Page 8, section 1, line 14, strike out the word "disperse" and insert the word "suppress;" same line, strike out the word "dispel" and insert the word "disperse."

Page 9, section 2, line 8, strike out the word "approving" and insert the word "signing."

Page 22, section 33, line 4, strike out the word "except" and insert the word "unless."

Page 23, section 4, line 7, after the word "completed" insert the word "it."

Page 24, section 6, line 2, strike out the words "and assessed to the owner."

Page 28, section 3, line 8, strike out the word "which."

Page 28, section 4, line 2, strike out the words "and the city clerk" and insert the word "who."

Page 30, section 9, line 6, strike out the word "therefor" and insert the word "thereof."

Page 31, section 13, line 5, after the word "bear" insert the words "such interest;" same section, line 6, strike out the words "of interest."

Page 34, section 6, line 9, make the word " " read "records;" same section, line 14, make "finance" read "finances."

Page 35, sub-division 9, line 12, make the word "license" read "licenses."

Page 36, sub-division 12, strike out all after the word "known," in line 6.

Page 37, sub-division 21, line 10, strike out the word "and" and insert the word "or."

Page 38, sub-division 26, line 6, strike out the word "and."

Page 38, sub-division 26, line 5, after the word "and" insert the word "prescribe."

Page 39, sub-division 27, line 4, strike out all after the word "ever" down to and including the word "obstructed," in line 7;" sub-division 28, line 4, after the word "hoops" insert the word "and."

Page 42, section 7, line 8, strike out the word "day" and insert the word "an."

Page 43, section 9, line 4, after the word "pending" insert the word "before."

Page 44, section 10, line 10, strike out the word "of."

Page 48, section 4, line 4, strike out the word "or;" same line, after the word "right" insert the words "or easement;" same section, line 7, strike out the word "or" after the word "right" and insert the words "or easement;" same line, after the word "taken" insert the word "or;" same section, line 23, strike out the word "or;" same section, line 24, after the word "right" insert the words "or easement."

Page 49, section 4, line 3, strike out the word "or" after the word

"right" and insert the words "or easement;" line 6, strike out the word "or;" same line, after the word "right" insert the words "or easement;" same section, line 10, strike out the word "or" after the word "right" and insert the words "or easement;" same section, line 14, strike out the word "or;" after the word "right" insert the words "or easement;" same section, line 21, make the word "benefit" read "benefits;" same section, line 25, after the word "two" insert the word "successive;" same line, strike out "successively;" line 34, after the word "assessed" insert the words "or taken."

Page 50, section 6, line 9, after the word "right" insert the words "or easement;" same section, line 13, after the word "right" insert the words "or easement."

Page 51, section 8, line 6, after the word "right" insert the words "or easement;" same section, line 9, after the word "for" insert the word "the;" section 9, line 2, after the word "improvement" insert the word "the."

Page 52, section 2, line 27, strike out the word "as;" same section, line 28, strike out the word "thereon."

Page 55, section 13, line 9, strike out the word "upon;" section 14, line 3, after the word "cross" insert the word "walks."

Page 56, section 15, line 32, after the word "to" insert the words "certified, and."

Page 57, section 16, line 5, after the word "and" insert the word "of;" same section, line 4, after the word "highways" insert the words "or of any part thereof;" same page, section 17, line 8, after the word "laying" strike out the word "of;" same section, line 9, strike out the word "of."

Page 58, section 17, line 22, strike out the word "and;" same section, line 24, after the word "or" insert the word "upon."

Page 60, section 22, line 4, after the word "of" insert the word "the;" section 23, line 4, make "alterations" read "alteration."

Page 61, section 23, line 38, strike out the word "or" and insert the word "of."

Page 62, section 24, line 14, after the word "in" insert the words "one or more of."

Page 65, at the end of section 28 add the words "or highway."

Page 66, section 29, line 6, strike out the word "not;" after the word "include," in same line, insert the word "not."

Page 69, line 6, strike out the word "and;" same page, section 36, line 3, after the word "schedule" insert the words "of the several assessments."

Page 70, section 38, line 3, make "assessment" read "assessments."

Page 71, section 38, line 11, after the word "bear" insert the words "such interest;" same page, line 12, strike out the words "of interest;" same page, line 18, after the word "which" insert the word "the."

Page 73, section 6, line 1, after the word "the" strike out the words "fire commissioners shall appoint" and insert the words "members of the fire department shall elect."

Page 83, section 11, line 16, make a comma after the word "do."

Page 86, section 19, line 2, strike out the word "is" and insert the word "are;" same section, line 25, add at end, "This grant is subject to any grants of land under water heretofore made to any person or corporation."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }
{ NOES 2 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Crapser | Kennedy | Russell |
| Andrews | Cullinan | Lefever | Seeley |
| Baker, B. F. | Curtis | Liddle | Sheridan |
| Baker, C. S. | Davis | Lindsay | Sherman |
| Beach | Deane | Low | Shuit |
| Beates | Douglass | McAvoy | Skinner |
| Benedict, E. D. | Duguid | McCabe | Slingerland |
| Benedict, T. E. | Ellis | McDonald | Tallmadge |
| Bradley | Evans | McTernan | Terry |
| Brennan | Ferris | Mead | Thilemann |
| Bridges | Fish | Miller | Titus |
| Brodsky | Fiske | Mitchell | Tormey |
| Carpenter, E. A. | Fitzgerald | Mooers | Tozier |
| Carpenter, I. S. | Gillette | Morgan | Travis |
| Catlin | Gorsline | Newman | Tully |
| Chamberlain | Hagan | Nowlan | Tuthill, H. H. |
| Chase | Havens | Peck | Van Valkenburgh |
| Chickering | Hayes | Pitcher | Wells, D. A. |
| Clancy | Howland | Potter | Weston |
| Clowes | Hurd | Potts | Wiley |
| Comstock | Husted | Roberts | Wren |
| Congdon | Ingersoll | Root | Youngs |
| Cookinham | | | |

Those who voted in the negative, were

Cohen Waterbury

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The bill entitled "An act for the relief of certain persons engaged in the practice of dentistry in this State," being announced for a third reading,

Mr. Brennan moved to recommit said bill to the committee on the judiciary, with instructions to amend as follows:

After the word "State," in line 2, insert the words "prior to," and strike out the word "one" in said line. After the words "seventy-nine," in line 3, insert the words "and who had been so engaged in practice for five years." After the word "act" in line 8, insert the words "on filing with the county clerk satisfactory proof by affidavits of his occupation as a dentist as aforesaid."

Mr. Ingersoll moved the previous question.

Mr. Speaker put the question, "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Brennan, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }
{ NOES 4 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|--------------|
| Alvord | Crapser | Hoffman | Seeley |
| Andrews | Cullinan | Hurd | Sheridan |
| Baker, C. S. | Curtis | Husted | Sherman |
| Beach | Davis | Ingersoll | Shuit |
| Beates | Deane | Kennedy | Sipp |
| Benedict, T. E. | Dougherty | Lefever | Skinner |
| Bennett | Douglass | Liddle | Slingerland |
| Bradley | Duell | Low | Tallmadge |
| Bridges | Evans | McCabe | Terpeny |
| Brodsky | Ferris | McDonald | Terry |
| Carpenter, E. A. | Fish | Moors | Titus |
| Carpenter, I. S. | Fiske | Newman | Tormey |
| Case | Fitzgerald | Nowlan | Tozier |
| Chamberlain | Gorsline | Peck | Travis |
| Chickering | Gray | Pitcher | Tully |
| Olowes | Grosse | Potts | Varnum |
| Oohen | Gwinup | Roberts | Waterbury |
| Comstock | Hagan | Root | Wells, D. A. |
| Congdon | Havens | Russell | Wren |
| Cookinham | Hayes | Sanders | Youngs |

Those who voted in the negative, were

| | | | |
|---------|--------|--------|-------|
| Cushing | McAvoy | Miller | Wiley |
|---------|--------|--------|-------|

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the bill entitled "An act to establish a Code of Criminal Procedure," with a message that they had passed the same with the following amendments:

Section 4, sub-division 3, line 2, change the word "of" to "or."

§ 39. Line 1, add "s" to the word "session," and change the word "and," in last line but one, to "or are."

§ 50. Change the words "section 640 of the Penal Code" to the words "the last two sections," then transfer the section so as to come in after § 59, and change the numbers of the intervening sections.

§ 58. Sub-division 7, change the words "the Penal Code" to the words "existing laws."

§ 64. Sub-division 5, line 6, change "they have" to "it has."

§ 116. Second line, strike out the words "the last" and insert "115" after "section."

§ 147. Sub-division 4, add at the end the words "and the judge of general sessions in the city and county of New York."

§ 161. Change "195" to "159;" strike out the word "next" in last line, and add at the end "164."

§ 214. Strike out "79" and leave blank after "18."

232. Change "233" to "231."

284. Sub-division 4, change "134" to "133."

289. Last line, insert the word "the" before the word "trial."

306. First line, strike out the word "when."

323. Sub-division 3, insert "278 or" before "279."

330. Fifth line, strike out the word "when."

477. Strike out "79" and leave blank after "18."

488. Third line, change "he" to "it."

493. Sixth line, change "on" to "or."

- 495. Fifth line, change "article" to "chapter."
- 500. Change "597" to "497," and change "598" to "498."
- 548. First line, change "appellate" to "appellant;" second line, change "respendent" to "respondent."
- 562. Change "559" to "527;" change "560" to "528."
- 565. Fourth line, insert the word "served" before the word "with."
- 566. Change "564" to "532."
- 581. Change "579" to "547."
- 589. Last line, change "586" to "554"
- 591. Last line, change "589" to "557."
- 593. Second line, insert the word "stating" after the word "granted."
- 595. Change "589" to "557."
- 600. Strike out "79" and leave blank after "18."
- 604. Last line, change "601" to "569."
- 612. Last line, change "580" to "557."
- 613. Strike out "79" and leave blank after "18."
- 614. Change "601" to "569;" change "609" to "577."
- 615. Change "588" to "556."
- 617. Change "601" to "569;" change "609" to "577."
- 623. Second line, strike out the word "or."
- 624. Fourth and fifth lines, change the words "the last two sections" to the words "section 590."
- 628. Change "625" to "593;" change "626" to "594;" change "629" to "597."
- 629. Second line, change "chapter" to "article."
- 631. Sub-division 1, last line, change "625" to "593."
- 636. Change "589" to "557;" change "590" to "558."
- 638. Change "601" to "569;" change "609" to "577."
- 656. Sub-division 2, change "where" to "when."
- 658. Change "656" to "624."
- 667. Change "§ 651" to "§ 619."
- 677. Last line, change "673" to "641."
- 698. Change "695" to "663;" change "696" to "664."
- 708. Strike out "79" and leave blank after "18."
- 713. Second line, change "they" to "it."
- 741. Change "736" to "704."
- 751. Third line, change "his" to "its."
- 757. Change "753" to "721."
- 759. Strike out last word "as provided in the last section."
- 760. Fourth line, insert the words "sheriff or the" before "magistrate."
- 761. Change "640" to "608;" change "651" to "619."
- 811. Change "813" to "781."
- 813. Strike out "79" and leave blank after "18."
- 829. Change "824" to "792;" change "833" to "801."
- 836. Change "719" to "687;" change "721" to "689;" change "824" to "792."
- 853. Change "550" to "485."
- 868. Strike out the words "or of a foreign government."
- 875. Change "title" to "chapter."
- 879. Change "877" to "844."
- 882. Last line, change "884" to "851."
- 884. Last line, change "877" to "844."

- § 886. Change "877" to "844;" change "884" to "851."
- § 887. Change "877" to "844;" change "881" to "848;" change "883" to "850."
- § 890. Change "873" to "840."
- § 892. Change "883" to "850;" change "890" to "857;" change "873" to "840."
- § 894. Change "884" to "851;" change "883" to "850;" change "prid" to "paid."
- § 895. Change "884" to "851;" change "891" to "858."
- 904. Change "890" to "857."
- 905. Change "901" to "868."
- 908. Change "883" to "850."
- 913. Strike out the words "the last" and insert "877" after "section."
- 917. Change "914" to "881."
- 919. Change "915" to "882."
- 922. Strike out "79" and leave blank after "18;" change "920" to "887."
- 925. Change "920" to "887;" change "921" to "888."
- 927. Change "925" to "894."
- 929. Change "920" to "887."
- 930. Change "8" to "this code."
- 932. Change "930" to "899."
- 933. Change "930" to "899."
- 934. Change "932" to "901."
- 935. Change "932" to "901;" change "930" to "899."
- 937. Change "932" to "901;" change "934" to "903."
- 938. Change "932" to "901."
- 941. Change "932" to "901."
- 947. Change "945" to "914."
- 951. Change "945" to "914."
- 965. Change "962" to "931;" change "963" to "932."
- 968. Change "958" to "927;" change "959" to "928;" change "961" to "930."
- 969. Change "967" to "936."
- 936. Third line, change "county" to "poor."
- 939. Third line, change "its next" to "each."
- 945. Third line, change "enable" to "be unable."
- 952. Second line, change "their" to "the;" fifth line, change "945" to "914;" tenth line, change "their" to "his."
- 962. Sixth line, change "958" to "927;" seventh line, change "them" to "him."
- § 972. Third line, change "said" to "the;" fourth line, change "said" to "the."
- § 976. First line, change "sheriffs" to "sheriff."
- 985. Third line, change "their" to "its."
- 21. Third line, change "its" to "the;" fourth line, change "sections" to "section."
- § 22. Fourth subdivision, insert "from any court" after "removed;" change "option" to "opinion;" alter fifth subdivision to read as follows: "To exercise the same jurisdiction as a court of sessions, in a cause or proceeding transferred according to sections 40 or 41 of this Code."
- § 28. First line, strike out the words "of the city;" change "examine" to "determine," in fifth line.

- § 33. Second line, change "must" to "may."
- § 34. First line, change the words "each of the city courts" to "a city court."
- § 35. Strike out the words "not punishable with death."
- § 39. Subdivision 2, after the word "county," insert the words "or by a city court in the county."
- § 40. Add at the end the words "or to a city court having jurisdiction to try and determine the same."
- § 44. Add at the end the words "or to a city court having jurisdiction of such an action or proceeding."
- § 115. Close the section with the words "state of insurrection;" make the rest of the present section a new section 116, changing the words "and may order" into the words "after the proclamation mentioned in the last section the Governor may order."
- § 116. Number as 117; strike out the words "the last," in line 2, and insert "115" after "section," and omit the next section.
- § 129. Omit, and renumber the four following sections, and make a new section 133, in part 4, title 1, as follows:
- "New § 133. A person who leaves this State, with intent to elude any law thereof against duelling or prize fighting or challenges thereto, or to do any act forbidden by such a law, or who being a resident of this State does an act out of it, which would be punishable as a violation of such a law, may be indicted and tried in any county of this State."
- § 225. Subdivision 3, add at the end the words "whenever an indictment can there be found."
- Chapter 2 of title 10, part 4, omit, containing sections 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528.
- Chapter 3, immediately following, change to chapter 2, and omit sections 529 and 530 therefrom, and arrange the headings accordingly.
- Chapter 4 omit, containing sections 536, 537, 538, 539, 540, 541, 542, 543, 544, 545 and 546.
- § 673. Subdivision 2, insert the word "general" before the word "sessions;" change the words "of the city" to "in the city and county;" subdivision 3, strike out the words "city judge of the city" and insert the words "judge of the court."
- § 870. Omit.
- § 920. Divide this section into three sections, the first, numbered 887, ending at "lawful occupation," in eighth subdivision; the next, numbered 888, ending at "almshouse of the county," and make the following corrections in the second and third of these new sections, viz.:
- Strike out the word "this," in the third line of new section 888 and substitute the words "the last;" strike out the words "such child," at the beginning of the fifth line of the second paragraph of new section 888, and substitute the word "him;" strike out the word "such," beginning of the third paragraph of new section 888, and substitute the word "the;" substitute the word "the" for the word "such," first line of fourth paragraph of new section 888; substitute the word "the" for second "such," second line of fourth paragraph of new section 888; substitute the word "the" for second "such," fourth line of fourth paragraph of new section 888.
- Alter first three lines of new section 889, so as to read as follows:
- "Every child received pursuant to the last section shall be kept until

discharged by the overseers of the poor or the commissioners of the almshouse of the city or village, and may be."

§ 984. Omit.

§ 995. Change "May" to "September," "seventh" to "sixth," and "seventy-nine" to "eighty."

After the foregoing corrections are made, renumber the sections after section 510, and rearrange the headings accordingly.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }
{ NOES 13 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Andrews | Davis | McCarthy | Sipp |
| Baker, B. F. | Deane | McTernan | Skinner |
| Beach | Dougherty | Mead | Slingerland |
| Beates | Duguid | Miller | Tallmadge |
| Brennan | Evans | Moore | Terry |
| Bridges | Ferris | Morgan | Thilamann |
| Broday | Fish | Newman | Titus |
| Carpenter, I. S. | Gillette | Nowlan | Tormey |
| Case | Gorsline | Peck | Tozier |
| Catlin | Grosse | Pitcher | Travis |
| Chase | Hayes | Potts | Tully |
| Chickering | Howland | Roberts | Tuthill, H. H. |
| Clancy | Hurd | Root | Van Valkenburgh |
| Clark | Husted | Russell | Waterbury |
| Comstock | Ingersoll | Sanders | Wells, D. A. |
| Congdon | Kennedy | Seeley | Wells, J. L. |
| Cookinham | Lefever | Shanley | Weston |
| Crapser | Liddle | Sheridan | Wiley |
| Cullinan | Low | Sherman | Wren |
| Curtis | McCabe | Shuit | Youngs |

Those who voted in the negative, were

| | | | |
|------------------|------------|--------|----------|
| Alvord | Cushing | Gray | McAvoy |
| Benedict, T. E. | Ellis | Gwinup | O'Connor |
| Carpenter, E. A. | Fitzgerald | Havens | Walsh |
| Cohen | | | |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

Mr. Husted in the chair.

By unanimous consent,

Mr. Sharpe offered for the consideration of the House a resolution in the words following:

Resolved, That the afternoon session of this House be extended from four o'clock this afternoon to eight o'clock this evening.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Tallmadge introduced a bill entitled "An act to incorporate the Metropolitan Merchandise Loan Company," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Tallmadge, and by unanimous consent, said bill was ordered to a third reading, and ordered printed.

By unanimous consent,

Mr. Skinner introduced a bill entitled "An act to amend chapter 461 of the Laws of 1869, entitled 'An act to incorporate the Chapin Home for the Aged and Infirm in the city of New York,' which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Skinner, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. B. F. Baker introduced a bill entitled "An act in relation to the village of Saratoga Springs," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

By unanimous consent,

Mr. Catlin offered for the consideration of the House a resolution in the words following :

Resolved, That the vote by which Assembly bill No. 756, entitled "An act to amend chapter 249 of the Laws of 1864, entitled 'An act to amend an act entitled 'An act to provide for the incorporation of villages, passed December 7, 1847, and the several acts amendatory thereof, so far as the same relate to the village of New Rochelle, in the county of Westchester,' and the several acts amendatory thereof," was passed be reconsidered, for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 105 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Cushing | Liddle | Sherman |
| Andrews | Davis | Lindsay | Shuit |
| Baker, B. F. | Deane | Low | Sipp |
| Baker, C. S. | Dougherty | McAvoy | Skinner |
| Beach | Douglass | McCabe | Slingerland |
| Beates | Duell | McCarthy | Tallmadge |
| Bennett | Evans | McDonald | Terpeny, |
| Bradley | Ferris | Mead | Terry |
| Brennan | Fish | Miller | Thilemann |
| Bridges | Fiske | Mitchell | Titus |
| Brodaky | Fitzgerald | Mooers | Tormey |
| Carpenter, E. A. | Gillette | Morgan | Tozier |
| Carpenter, I. S. | Gorsline | Newman | Travis |
| Case | Gray | Nowlan | Tully |
| Catlin | Griggs | O'Connor | Tuthill, H. H. |
| Chamberlain | Groese | Peck | Tuttle, R. M. |
| Chickering | Gwinup | Pitcher | Van Valkenburgh |
| Childs | Hagan | Potter | Varnum |
| Clancy | Hayes | Potts | Warner |
| Clark | Hoffman | Roberts | Waterbury |
| Clowes | Howland | Root | Wells, D. A. |
| Comstock | Hurd | Russell | Wells, J. L. |
| Congdon | Husted | Sanders | Weston |
| Cookinham | Ingersoll | Seeley | Wiley |
| Crapser | Kennedy | Shanley | Wren |
| Cullinan | Lefever | Sheridan | Youngs |
| Curtis | | | |

By unanimous consent,

Mr. Olancy offered for the consideration of the House a resolution in the words following :

Resolved, That the sub-committee of the whole be discharged from the further consideration of Assembly bill No. 1169, general orders No. 1004, entitled "An act for the relief of Patrick Duff, administrator of the estate of Francis H. Duff," and the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Hoffman offered for the consideration of the House a resolution in the words following :

Resolved (if the Senate concur), That a respectful message be sent to the Governor requesting the return of Assembly bill No. 358, entitled "An act to amend an act entitled 'An act to amend the charter of the village of Horseheads, Chemung county,' passed April 14, 1855, and the several acts amendatory thereof," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Mooers offered for the consideration of the House a resolution in the words following :

Resolved, That the Clerk of this House is hereby directed, on or before the first day of June next, to cause a copy of the letter of the Attorney-General, dated February 10, 1880, on the liability of savings bank deposits to taxation, to be sent to all the assessors of this State, and to the commissioners of taxes and assessment in the cities of New York and Brooklyn.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Childs introduced a bill entitled "An act to repeal an act entitled 'An act to provide for the establishment of a union free school or schools within the corporate limits of the village of Cortland,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

By unanimous consent,

Mr. Beates offered for the consideration of the House a resolution in the words following :

Resolved, That the committee of the whole be discharged from the further consideration of Assembly bill No. 744, general orders 897, entitled "An act to abolish the office of crier in the courts of record in the counties of Delaware and Sullivan," and that the same be engrossed for a third reading, amended as follows :

Section 2, line 1, strike out the word "county" and insert the word "counties;" after the word "Delaware," same line, add the words "and Sullivan."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Hurd offered for the consideration of the House a resolution in the words following :

Resolved (if the Senate concur), That there be printed, for the use of the Auditor of the Canal Department, 400 copies of the Annual Report on Tolls, Trade and Tonnage of the Canals, and 100 copies of the Annual Report on the expenditures of the Canals.

Ordered, That said resolution be referred to the committee on public printing.

By unanimous consent,

Mr. Sipp moved to discharge the committee of the whole from the further consideration of Senate bill entitled "An act to amend chapter 559 of the Laws of 1874, entitled 'An act to incorporate the Niagara Grand Island Bridge Company,'" and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Weston introduced a bill entitled "An act to amend chapter 766 of the Laws of 1870, relating to a road district," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Weston, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Brennan offered for the consideration of the House a resolution in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of Assembly bill No. 797, entitled "An act to amend chapter 444 of the Laws of 1876, entitled 'An act to establish a State board of audit and to define its powers and duties,'" and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Gorsline, and by unanimous consent, the committee of the whole were discharged from the further consideration of Senate bill entitled "An act to amend chapter 285 of the Laws of 1874, entitled 'An act in reference to the cemetery in the village of Herkimer,'" and the same was ordered to a third reading.

By unanimous consent,

Mr. Lindsay offered for the consideration of the House a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return of Assembly bill printed No. 533, introductory No. 89, general orders No. 605, entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration and to regulate the compensation of supervisors,'" for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Tully introduced a bill entitled "An act for the protection of travelers on street railroads in the cities of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent,

Mr. Roberts offered for the consideration of the House a resolution in the words following :

Resolved, That the sub-committee of the whole be discharged from the further consideration of Senate bill No. 289, entitled "An act authorizing the surrogate of Erie county to appoint a stenographer for the surrogate's court of said county," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Brodsky offered for the consideration of the House a resolution in the words following :

Resolved, That the committee of the whole be discharged from the further consideration of Senate bill No. 53, general orders No. 380, entitled "An act to legalize certain proceedings of the common council of the city of New York," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Also,

Resolved, That the committee of the whole be discharged from the further consideration of Assembly bill No. 801, general orders No. 1002, entitled "An act authorizing the Adjutant-General, the Inspector-General and the Commissary-General to audit the claim of the 11th Regiment, National Guard of the State of New York, for uniforms and equipments worn out in the United States service during the late war," and that the same be ordered engrossed for a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Varnum offered for the consideration of the House a resolution in the words following :

Resolved, That the committee of the whole be discharged from the further consideration of Assembly bill No. 809, general orders 1031, entitled "An act to provide for the revision of the local and special laws affecting public interests in the city of New York," and that the same be ordered engrossed for a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Mitchell offered for the consideration of the House a resolution in the words following :

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor, requesting the return of Assembly bill No. 179, entitled "An act to amend section 236 of the Code of Civil Procedure," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Thilemann introduced a bill entitled "An act for the preserva-

tion of the public health in the city of New York," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Thilemann, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Treanor introduced a bill entitled "An act to provide for the payment of compensation by the New York, Metropolitan and Manhattan elevated railway companies for the use and occupancy of the streets and avenues in the city of New York, in lieu of taxes and of the percentages now required by law," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Grosse offered for the consideration of the House a resolution on the words following:

Resolved, That the committee of the whole be discharged from the further consideration of Assembly bill No. 792, entitled "An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,'" and that the same be ordered engrossed for a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Van Valkenburgh offered for the consideration of the House a resolution in words following:

Whereas, The printed journal of this Assembly has not been promptly placed upon the files of the members during this session; and,

Whereas, There has been no printed journal on file since date of April 30, 1880; be it, therefore,

Resolved, That the Clerk of the Assembly be instructed to have the printed journal placed upon the files of the members within three days of the time of their adoption.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Alvord, and by unanimous consent, the committee of the whole was discharged from the further consideration of Senate bill entitled "An act defining the powers and duties of the Superintendent of Public Works," and the same was ordered to a third reading.

By unanimous consent,

Mr. Cullinan offered for the consideration of the House a resolution in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of Assembly bill No. 796, general orders 992, entitled "An act to authorize the city of Oswego to use or apply the proceeds, or any part thereof, of the sale of the stock of said city in the New York and Oswego Midland Railroad Company to any indebtedness against said city," and that the same be ordered engrossed for a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Also,

Resolved, that the committee of the whole be discharged from the

further consideration of Assembly bill No. 810, general orders 1032, entitled "An act to authorize the postponement of the levy of a tax to pay bonds issued by the town of Volney in the county of Oswego, to facilitate the construction of the New York and Oswego Midland Railroad," and that the same be ordered engrossed for a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Bridges offered for the consideration of the House a resolution in the words following :

Resolved, that the sub-committee of the whole be discharged from the further consideration of Assembly bill No. 656, entitled "An act to amend chapter 431 of the Laws of 1879, entitled 'An act requiring the commissioners of the town of Midland, in the county of Otsego, to pay over the surplus moneys or securities in their hands to the county treasurer, to be used for the payment of taxes against said town,'" and that the same be ordered engrossed for a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Fiske offered for the consideration of the House a resolution in the words following :

Resolved, That the sub-committee of the whole be discharged from the further consideration of Senate bill No. 391, entitled "An act to amend chapter 818 of the Laws of 1866, entitled 'An act to create a separate road district in the town of Middletown, Richmond county,'" and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Evans offered for the consideration of the House a resolution in the words following :

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor, requesting the return of Assembly bill No. 144, entitled "An act to amend section 2 of chapter 405 of the Laws of 1879, entitled 'An act to amend sections 2 and 10 of chapter 248 of the Laws of 1878, entitled 'An act in relation to the election of officers in certain school districts,'" for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Gwinup offered for the consideration of the House a resolution in the words following :

Resolved, That the committee of the whole be discharged from the further consideration of Assembly bill No. 705, general orders 833, entitled "An act for the protection of laborers and persons furnishing materials and supplies in procuring logs and timber from the woodlands and forests of this State," and that the same be ordered engrossed for a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Travis offered for the consideration of the House a resolution in the words following :

Resolved, That the sub-committee of the whole be discharged from the further consideration of Senate bill No. 312, entitled "An act to make effectual judicial decrees against unknown owners," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Also,

Resolved, That the sub-committee of the whole be discharged from the further consideration of Senate bill No. 356, entitled "An act to amend chapter 717 of Laws of 1870, entitled 'An act to authorize the sale of real estate in which any widow is or shall be entitled to dower and satisfaction and discharge thereof,'" and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Catlin offered for the consideration of the House a resolution in the words following :

Resolved, That the committee on roads and bridges be discharged from the further consideration of Senate bill No. 167, entitled "An act to amend chapter 227 of the Laws of 1872, entitled 'An act to amend an act passed May 9, 1868, entitled 'An act to amend section 3 of chapter 817 of the Laws of 1866, entitled 'An act to lay out and construct a road from the river road in township No. 14, in the town of Johnsburgh, to the Carthage road near the head of Long lake in the county of Hamilton,'" and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Alvord moved that this House do take a recess until 4 o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

And at 2 o'clock and 5 minutes the House took a recess until 4 P. M.

FOUR O'CLOCK, P. M.

The House again met.

Indefinite leave of absence was granted to Mr. Tuttle.

Mr. Speaker directed the Clerk to call the roll of members and ascertain if a quorum was present, and the following members answered to their names:

| | | | |
|------------------|----------|----------|-----------------|
| Alvord | Duell | McTernan | Strait |
| Beach | Evans | Mead | Tallmadge |
| Benedict, E. D. | Ferris | Mooers | Terry |
| Benedict, T. E. | Fish | Newman | Titus |
| Bennett | Fiske | Pitcher | Travis |
| Bradley | Gorsline | Potts | Treanor |
| Bridges | Grosse | Root | Tuthill, H. H. |
| Brodaky | Gwinup | Russell | Van Valkenburgh |
| Carpenter, E. A. | Hagan | Shanley | Warner |

| | | | |
|----------|---------|-------------|--------------|
| Case | Hoffman | Sheridan | Waterbury |
| Crapeer | Howland | Sherman | Wells, D. A. |
| Cullinan | Hurd | Shuit | Wells, J. L. |
| Curtis | Kennedy | Sipp | Weston |
| Cushing | Lefever | Skinner | Wren |
| Davis | Liddle | Slingerland | Youngs |
| Deane | Lindsay | Steele | Mr. Speaker |
| Douglass | Low | | |

66

A quorum being present,

Mr. Van Valkenburgh moved to lay all order of business on the table for the purpose of taking up order of business reports of standing committees.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Low (introductory No. 1195), entitled "An act to provide for appointment of a police justice in the village of Niagara Falls, New York," reported in favor of the passage of the same.

On motion of Mr. Terry, said bill was referred to the sub-committee of the whole, and ordered printed.

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Slingerland (introductory No. 945), entitled "An act in relation to a public park in the city of Albany, now known as the Washington park, supplementary and amendatory to an act passed May 5, 1869, and supplementary and amendatory to subsequent acts, passed April 23, 1870, March 31, 1871, February 16, 1872, March 11, 1873, March 28, 1874, and June 7, 1875," reported the same for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

Mr. Skinner, from the committee on railroads, to which was referred the bill introduced by Mr. Terry (introductory No. 1208), entitled "An act relating to leases of railroads and railroad property within this State," reported in favor of the passage of the same.

On motion of Mr. Terry, said bill was referred to the sub-committee of the whole.

Mr. Van Valkenburgh, from the committee on banks, to which was referred Senate bill (introductory No. 71), entitled "An act to amend chapter 168 of the Laws of 1870, entitled 'An act to amend the act entitled 'An act to authorize the business of banking,' passed April 18, 1838,'" reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

On motion of Mr. Alvord, and by unanimous consent, said bill was ordered to a third reading.

Mr. Evans, from the committee on internal affairs, to which was referred the bill introduced by Mr. Hoffman (introductory No. 1209), entitled "An act to authorize the bridge commissioners of the town of Chemung to borrow money to pay the existing indebtedness incurred in building a bridge over the Chemung river in the town of Chemung, in the county of Chemung," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the Senate bill (introductory No. 132), entitled "An act to amend chapter 83 of the Laws of 1869, entitled 'An act for the improvement of Grasse river, and of the water power thereon, and to check freshets therein,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Evans, from the committee on internal affairs, to which was referred the Senate bill (introductory No. 319), entitled "An act to regulate the dimensions and measurement of apple barrels," reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Weston, from the committee on roads and bridges, to which was referred the Senate bill (introductory No. 309), entitled "An act repealing section 3 of chapter 135 of the Laws of 1876, entitled 'An act to authorize plankroad and turnpike companies, formed under and by virtue of an act entitled 'An act to provide for the incorporation of companies to construct plankroads and of companies to construct turnpike roads,' passed May 7, 1847, to extend their charter or corporate existence,'" reported in favor of the passage of the same.

On motion of Mr. Alvord, and by unanimous consent, said bill was ordered to a third reading.

Mr. Sherman, from the committee on public education, to which was referred the Senate bill (introductory No. 597), entitled "An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sherman, from the committee on public education, to which was referred the Senate bill (introductory No. 309), entitled "An act to establish a high school in the city of Brooklyn," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sherman, from the committee on public education, to which was referred the Senate bill (introductory No. 585), entitled "An act to amend section 24 of article 1 of title 1 of chapter 15 of part 1 of the Revised Statutes, entitled 'Of the organization and powers of the board of regents,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Sherman, from the committee on public education, to which was referred the Senate bill (introductory No. 647), entitled "An act to change the name of the Elmira Female College," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Hoffman, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord
Andrews

Cushing
Davis

McAvoy
McCabe

Skinner
Slingerland

| | | | |
|------------------|-----------|----------|-----------------|
| Baker, O. S. | Deane | McDonald | Steele |
| Beach | Dougherty | Mead | Strait |
| Beates | Douglass | Miller | Tallmadge |
| Benedict, E. D. | Duell | Moers | Terry |
| Benedict, T. E. | Evans | Morgan | Thilemann |
| Bennett | Ferris | Newman | Titus |
| Bradley | Fish | Nowlan | Tozier |
| Bridges | Fiske | O'Connor | Travis |
| Brodsky | Gorsline | Peck | Treanor |
| Carpenter, E. A. | Griggs | Pitcher | Tuthill, H. H. |
| Carpenter, I. S. | Grosse | Potter | Van Valkenburgh |
| Case | Gwinup | Potts | Varnum |
| Clark | Hagan | Roberts | Walsh |
| Clowes | Havens | Root | Warner |
| Cohen | Hoffman | Russell | Waterbury |
| Comstock | Howland | Sanders | Wells, D. A. |
| Congdon | Hurd | Seeley | Wells, J. L. |
| Oookinham | Kennedy | Shanley | Weston |
| Costello | Lefever | Sheridan | Wren |
| Crapeer | Liddle | Shuit | Youngs |
| Cullinan | Lindsay | Sipp | Mr. Speaker |
| Curtis | Low | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Shuit, from the committee on State prisons, to which was referred the bill introduced by Mr. Mitchell (introductory No. 59), entitled "An act to authorize the transfer of prisoners from penitentiaries to State prisons, and to provide for the expense of same," reported the same for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

Mr. Shuit, from the committee on State prisons, to which was referred the Senate bill (introductory No. 607), entitled "An act regulating the disposition of convicts in the State prisons," reported adversely thereto, which report was agreed to.

Mr. Russell, from the special committee to which was referred the Senate bill (introductory No. 311), entitled "An act to suppress intemperance and to regulate the sale of liquors, wines, ale and beer in the cities of the State of New York in which the population by the last State census exceeded 400,000," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Russell gives notice that he will, at some future day, move to suspend Rules 25, 39, 41 and 43, for the purpose of advancing the consideration and the final passage of Senate bill No. 397, entitled "An act to suppress intemperance and to regulate the sale of liquors, wines, ale and beer in the cities of the State of New York, in which the population by the last State census exceeded 400,000."

By unanimous consent,

Mr. D. A. Wells offered for the consideration of the House a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, asking the return of Assembly bill No. 593, entitled "An act to confirm the official acts of George M. Briggs, Charles Forbes and George W. Brimmer, commissioners of excise in and for the town of Broadalbin, in the county of Fulton, and to enable them to execute a bond to the supervisor thereof," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Also,

Resolved (if the Senate concur), That a respectful message be sent to the Governor, asking the return of Assembly bill No. 635, entitled "An act to enable the electors of the town of Mayfield, Fulton county, N. Y., to vote by districts for town officers," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Terry (introductory No. 577), entitled "An act to provide for the revival and continuance of certain suits or actions," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Terry, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Curtis | Lefever | Sipp |
| Andrews | Cushing | Liddle | Skinner |
| Baker, C. S. | Davis | Lindsay | Slingerland |
| Beach | Deane | Low | Strait |
| Beates | Dougherty | McAvoy | Tallmadge |
| Benedict, T. E. | Douglass | McDonald | Terry |
| Bennett | Duell | Mead | Thilemann |
| Bradley | Evans | Miller | Titus |
| Brennan | Ferris | Mooers | Tozier |
| Bridges | Fish | Morgan | Travis |
| Brodsky | Fiske | Newman | Treanor |
| Carpenter, E. A. | Gillette | Nowlan | Tully |
| Carpenter, I. S. | Gorsline | O'Connor | Tuthill, H. H. |
| Case | Grosse | Peck | Van Valkenburgh |
| Chickering | Gwinup | Pitcher | Varnum |
| Clark | Hagan | Potter | Walsh |
| Clowes | Havens | Potts | Warner |
| Cohen | Hayes | Root | Waterbury |
| Comstock | Hoffman | Russell | Wells, D. A. |
| Congdon | Howland | Sanders | Wells, J. L. |
| Cookinham | Hurd | Seeley | Weston |
| Costello | Husted | Sheridan | Wren |
| Grapsar | Ingersoll | Sherman | Youngs |
| Cullinan | Kennedy | Shuit | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act making it unlawful for the officers of

any orphan asylum, charitable institution or other reformatory or temporary home for destitute children in this State, having the care or custody of any child or children between the ages of two and sixteen years, to employ in the care of any such child or children the services of any inmate of any poor-house, alms-house, work-house or penitentiary," being announced for a third reading,

On motion of Mr. Brennan, and by unanimous consent, said bill was amended in words following :

Insert as section 2 the following :

"§ 2. Any person knowingly violating the provisions of this act shall be liable to a penalty of not exceeding \$50 for such offense, to be recovered in a civil action in any court of competent jurisdiction, in the name of the overseers of the poor of any town, or the commissioners of charities of any city, in which such offense is committed, the recovery in such action to go to the support of the poor of such town or city."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }
{ NOES 6 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Baker, C. S. | Curtis | Kennedy | Sanders |
| Beach | Cushing | Lefever | Seeley |
| Benedict, T. E. | Davis | Liddle | Sheridan |
| Bennett | Deane | Lindsay | Sherman |
| Bradley | Dougherty | Low | Shuit |
| Brennan | Duell | McAvoy | Sipp |
| Bridges | Ferris | McCabe | Skinner |
| Brodsky | Fish | Mead | Slingerland |
| Carpenter, I. S. | Fiske | Miller | Steele |
| Catlin | Gillette | Mitchell | Strait |
| Chamberlain | Gorsline | Mooers | Tallmadge |
| Clark | Grosse | Morgan | Terry |
| Clowes | Gwinup | Nowlan | Titus |
| Cohen | Hagan | O'Connor | Tozier |
| Comstock | Havens | Peck | Tuthill, H. H. |
| Congdon | Hayes | Pitcher | Van Valkenburgh |
| Cookinham | Hoffman | Potter | Wells, D. A. |
| Costello | Howland | Potts | Weston |
| Crapeer | Hurd | Root | Wren |
| Cullinan | Husted | Russell | |

Those who voted in the negative, were

| | | | |
|----------|--------|-------|--------|
| Alvord | Newman | Walsh | Warner |
| McDonald | Travis | | |

Mr. Alvord moved to reconsider the vote by which said bill was passed, and that the motion do lay upon the table.

Mr. Speaker put the question whether the House would agree to lay said motion on the table, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the negative, a majority of all the members elected to the

Assembly not voting in favor thereof, and three-fifths of said members being present.

{ AYES 56 }
{ NOES 45 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|--------------|
| Alvord | Douglass | Liddle | Sanders |
| Andrews | Duguid | Lindsay | Shuit |
| Baker, B. F. | Ferris | McAvoy | Sipp |
| Bridges | Fish | McCabe | Strait |
| Carpenter, E. A. | Fitzgerald | McDonald | Tallmadge |
| Catlin | Gillette | Morgan | Terpeny |
| Childs | Gorsline | Newman | Thilemann |
| Clowes | Gray | Nowlan | Tozier |
| Cohen | Havens | O'Connor | Travis |
| Comstock | Hayes | Peck | Treanor |
| Congdon | Hurd | Pitcher | Walsh |
| Costello | Husted | Potter | Warner |
| Davis | Ingersoll | Roberts | Waterbury |
| Dougherty | Lefever | Russell | Wells, D. A. |

Those who voted in the negative, were

| | | | |
|------------------|---------|----------|-----------------|
| Baker, C. S. | Crapser | Kennedy | Steele |
| Beach | Curtis | Low | Titus |
| Benedict, E. D. | Cushing | McTernan | Tormey |
| Bennett | Deane | Miller | Tully |
| Bradley | Ellis | Mitchell | Tuthill, H. H. |
| Brennan | Evans | Root | Van Valkenburgh |
| Carpenter, I. S. | Grosse | Seeley | Varnum |
| Case | Gwinup | Shanley | Wells, J. L. |
| Chamberlain | Hagan | Sheridan | Weston |
| Chickering | Hoffman | Sherman | Youngs |
| Clancy | Howland | Skinner | Mr. Speaker |
| Cookinham | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to legalize the official acts of Casper B. Vescelius, a justice of the peace in the county of Seneca," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|-----------|-------------|
| Alvord | Cookinham | Ingersoll | Seeley |
| Andrews | Costello | Kennedy | Sheridan |
| Baker, B. F. | Curtis | Lefever | Sherman |
| Baker, C. S. | Cushing | Liddle | Shuit |
| Beach | Davis | Lindsay | Sipp |
| Beates | Deane | Low | Skinner |
| Benedict, E. D. | Dougherty | McAvoy | Slingerland |
| Benedict, T. E. | Douglass | McCabe | Steele |
| Bennett | Duell | McDonald | Strait |
| Bradley | Ellis | Mead | Terry |
| Brennan | Ferris | Miller | Thilemann |
| Bridges | Fish | Moors | Titus |

| | | | |
|------------------|----------|----------|-----------------|
| Carpenter, I. S. | Fiske | Morgan | Tozier |
| Case | Gorsline | Newman | Travis |
| Catlin | Gray | O'Connor | Tuthill, H. H. |
| Chamberlain | Hagan | Peck | Van Valkenburgh |
| Chickering | Havens | Pitcher | Varnum |
| Childs | Hayes | Potts | Wells, D. A. |
| Clowes | Hoffman | Roberts | Wells, J. L. |
| Cohen | Howland | Root | Weston |
| Comstock | Hurd | Russell | Wren |
| Congdon | Husted | Sanders | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned Senate bill entitled "An act further to regulate the admission to this State of fire or marine insurance companies from other countries than the United States."

Ordered, That the Clerk return said bill to the Senate.

Senate bill entitled "An act to establish a board of fire commissioners for the village of West Troy in the county of Albany," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 91 }
{ NOES 2 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Curtis | Liddle | Sherman |
| Andrews | Davis | Lindsay | Shuit |
| Baker, B. F. | Deane | Low | Sipp |
| Baker, C. S. | Douglass | McAvoy | Skinner |
| Beach | Duell | McCabe | Slingerland |
| Beates | Duguid | McTernan | Steele |
| Benedict, E. D. | Evans | Mead | Tallmadge |
| Bradley | Ferris | Miller | Terpeny |
| Brennan | Fish | Mitchell | Terry |
| Bridges | Fiske | Mooers | Titus |
| Brodsky | Fitzgerald | Morgan | Tozier |
| Carpenter, E. A. | Gillette | Nowlan | Travis |
| Carpenter, I. S. | Gorsline | Peck | Tuthill, H. H. |
| Case | Gray | Pitcher | Van Valkenburgh |
| Catlin | Hagan | Potter | Varnum |
| Chickering | Hayes | Potts | Warner |
| Childs | Hoffman | Roberts | Waterbury |
| Clowes | Howland | Root | Wells, D. A. |
| Comstock | Hurd | Russell | Wells, J. L. |
| Congdon | Husted | Sanders | Weston |
| Cookinham | Ingersoll | Seeley | Wren |
| Costello | Kennedy | Shanley | Youngs |
| Cullinan | Lefever | Sheridan | |

Those who voted in the negative, were

Benedict, T. E. Gwinup

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend chapter 204 of the Laws of 1864, entitled 'An act to amend and consolidate the several acts relating to the village of Lansingburgh,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 95 }
{ NOES 2 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Curtis | Kennedy | Shuit |
| Andrews | Davis | Lefever | Sipp |
| Baker, B. F. | Deane | Liddle | Skinner |
| Baker, C. S. | Dougherty. | Lindsay | Slingerland |
| Beach | Douglass | Low | Strait |
| Beates | Duell | McAvoy | Tallmadge |
| Benedict, E. D. | Duguid | McCabe | Terpeny |
| Benedict, T. E. | Ellis | McCarthy | Terry |
| Bennett | Evans | McDonald | Thilemann |
| Bradley | Ferris | Miller | Titus |
| Bridges | Fish | Mitchell | Tormey |
| Brotsky | Fitzgerald | Moors | Tozier |
| Carpenter, E. A. | Gillette | Peck | Travis |
| Carpenter, I. S. | Gorsline | Pitcher | Treanor |
| Case | Gray | Potter | Tuthill, H. H. |
| Catlin | Griggs | Potts | Tuttle, R. M. |
| Clark | Grosse | Roberts | Warner |
| Clowes | Gwinup | Root | Waterbury |
| Cohen | Hayes | Russell | Wells, D. A. |
| Comstock | Hoffman | Sanders | Wells, J. L. |
| Congdon | Howland | Seeley | Wiley |
| Cookinham | Hurd | Shanley | Wren |
| Costello | Husted | Sheridan | Youngs |
| Crapser | Ingersoll | Sherman | |

Those who voted in the negative, were

Cushing Havens

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Steele offered for the consideration of the House a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor, requesting the return of Assembly bill No. 459, entitled "An act to provide for the taxation of life insurance companies," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The bill entitled "An act to amend section of title 11 of chapter 8 of part 3 of the Revised Statutes, entitled 'Of distraining cattle and other chattels doing damage, and of distraining in other cases,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 100 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|----------------|
| Alvord | Costello | Husted | Sherman |
| Andrews | Crapser | Ingersoll | Shuit |
| Baker, B. F. | Curtis | Kennedy | Sipp |
| Baker, C. S. | Cushing | Lefever | Skinner |
| Beach | Davis | Liddle | Slingerland |
| Beates | Deane | Low | Steele |
| Benedict, E. D. | Dougherty | McAvoy | Strait |
| Benedict, T. E. | Douglass | McCabe | Tallmadge |
| Bradley | Duell | McCarthy | Terpeny |
| Brennan | Duguid | McDonald | Terry |
| Bridges | Ellis | Miller | Thilemann |
| Brodsky | Evans | Mitchell | Titus |
| Carpenter, E. A. | Ferris | Moore | Tormey |
| Carpenter, I. S. | Fish | Nowlan | Tozier |
| Case | Fitzgerald | O'Connor | Travis |
| Oatlin | Gillette | Peck | Treanor |
| Chamberlain | Gorsline | Pitcher | Tully |
| Chickering | Gray | Potter | Tuthill, H. H. |
| Childs | Griggs | Potts | Tuttle, R. M. |
| Clark | Gwinup | Roberts | Warner |
| Clowes | Hagan | Root | Waterbury |
| Cohen | Hayes | Russell | Wells, D. A. |
| Comstock | Hoffman | Sanders | Wells, J. L. |
| Congdon | Howland | Seeley | Wren |
| Cookinham | Hurd | Sheridan | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act protecting fish in certain waters of the State," being announced for a third reading,

Mr. Titus moved to recommit said bill to the committee on game laws, with instructions to amend said bill in words following:

Section 1, line 3, after the words "Cross or" insert the words "Cayuga lake."

Section 3, line 13, after the word "Erie" insert the words "Seneca, Tompkins," and report forthwith.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Travis moved to recommit said bill to the committee on game laws with instructions to amend said bill in words following:

Add to section 1: "But nothing in this section shall apply to such of the waters of Cross lake or Seneca river as lies within the counties of Cayuga and Seneca."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 70 }
{ NOES 6 }

Those who voted in the affirmative, were

| | | | |
|--------------|-----------|----------|-------------|
| Alvord | Davis | Miller | Slingerland |
| Baker, C. S. | Dougherty | Mitchell | Strait |

| | | | |
|------------------|------------|----------|-----------------|
| Beach | Douglass | Mooers | Tallmadge |
| Benedict, E. D. | Duell | Nowlan | Terpeny |
| Bradley | Duguid | O'Connor | Terry |
| Brennan | Ellis | Peck | Thilemann |
| Bridges | Fish | Potts | Titus |
| Brodsky | Fitzgerald | Root | Tozier |
| Carpenter, E. A. | Gorsline | Russell | Travis |
| Carpenter, I. S. | Griggs | Sanders | Treanor |
| Chamberlain | Hayes | Seeley | Van Valkenburgh |
| Chickering | Hoffman | Shanley | Walsh |
| Clowes | Hurd | Sheridan | Warner |
| Cohen | Kennedy | Sherman | Wells, D. A. |
| Congdon | Liddle | Shuit | Weston |
| Cookinham | Low | Sipp | Wiley |
| Costello | McAvoy | Skinner | Youngs |
| Cushing | Mead | | |

Those who voted in the negative, were

| | | | |
|---------|---------|-------|-----------|
| Crapser | Howland | Tully | Waterbury |
| Evans | Steele | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act providing for the compensation of the county judge and the surrogate of the county of Oneida," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 96 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|-----------------|
| Alvord | Crapser | Hurd | Seeley |
| Andrews | Curtis | Ingersoll | Sherman |
| Baker, B. F. | Cushing | Kennedy | Shuit |
| Baker, C. S. | Davis | Lefever | Sipp |
| Beach | Deane | Liddle | Skinner |
| Beates | Dougherty | Low | Slingerland |
| Benedict, E. D. | Douglass | McAvoy | Strait |
| Benedict, T. E. | Duell | McCabe | Tallmadge |
| Bennett | Duguid | McDonald | Terpeny |
| Bradley | Ellis | Mead | Terry |
| Brennan | Evans | Miller | Thilemann |
| Bridges | Ferris | Mitchell | Titus |
| Brodsky | Fish | Mooers | Tozier |
| Carpenter, E. A. | Fiske | Newman | Travis |
| Carpenter, I. S. | Fitzgerald | Nowlan | Treanor |
| Case | Gorsline | O'Connor | Tully |
| Catlin | Gray | Peck | Van Valkenburgh |
| Chickering | Griggs | Pitcher | Walsh |
| Clowes | Gwinup | Potter | Warner |
| Cohen | Hagan | Potts | Waterbury |
| Comstock | Havens | Roberts | Wells, D. A. |
| Congdon | Hayes | Root | Weston |
| Cookinham | Hoffman | Russell | Wren |
| Costello | Howland | Sanders | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to Furman street in the city of Brooklyn," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|--------------|
| Alvord | Curtis | Low | Shuit |
| Andrews | Cushing | McAvoy | Sipp |
| Baker, B. F. | Davis | McCabe | Skinner |
| Baker, C. S. | Deane | McDonald | Slingerland |
| Benedict, T. E. | Dougherty | Mead | Steele |
| Bennett | Douglass | Miller | Strait |
| Bradley | Duell | Mitchell | Tallmadge |
| Brennan | Duguid | Mooers | Terpeny |
| Bridges | Ellis | Morgan | Terry |
| Brodsky | Evans | Newman | Thilemann |
| Carpenter, E. A. | Ferris | Nowlan | Titus |
| Carpenter, I. S. | Fish | O'Connor | Tozier |
| Case | Goralline | Peck | Travis |
| Catlin | Gray | Pitcher | Treanor |
| Chamberlain | Griggs | Potter | Tully |
| Chickering | Gwinup | Potts | Walsh |
| Childs | Hayes | Roberts | Warner |
| Clark | Hoffman | Root | Waterbury |
| Clowes | Howland | Russell | Wells, D. A. |
| Cohen | Hurd | Sanders | Weston |
| Comstock | Ingersoll | Seeley | Wiley |
| Congdon | Kennedy | Shanley | Wren |
| Cookinham | Lefever | Sheridan | Youngs |
| Craiper | Liddle | Sherman | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Tozier offered for the consideration of the House a resolution in the words following :

Resolved, That the committee of the whole be discharged from the further consideration of Assembly bill No. 513, entitled "An act in relation to agriculture," and that said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The bill entitled "An act to incorporate the Friendship Association of the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 92 }
{ NOES 2 }

Those who voted in the affirmative, were

| | | | |
|--------------|-----------|-----------|----------|
| Alvord | Cookinham | Ingersoll | Seeley |
| Andrews | Costello | Kennedy | Shanley |
| Baker, B. F. | Cushing | Lefever | Sheridan |

| | | | |
|------------------|-----------|----------|--------------|
| Baker, C. S. | Davis | Lindsay | Sherman |
| Beates | Deane | Low | Shult |
| Benedict, E. D. | Dougherty | McAvoy | Sipp |
| Benedict, T. E. | Douglass | McCabe | Skinner |
| Bennett | Duell | McDonald | Slingerland |
| Bradley | Duguid | Mead | Steele |
| Brennan | Ellis | Miller | Strait |
| Bridges | Evans | Mitchell | Tallmadge |
| Brodsky | Ferris | Moors | Terpeny |
| Carpenter, E. A. | Fish | Morgan | Terry |
| Carpenter, I. S. | Gorsline | Nowlan | Thilemann |
| Case | Gray | O'Connor | Titus |
| Catlin | Griggs | Peck | Tozier |
| Chamberlain | Grosse | Pitcher | Tully |
| Childs | Gwinup | Potter | Walsh |
| Clark | Hayes | Potts | Warner |
| Clowes | Hoffman | Roberts | Waterbury |
| Cohen | Howland | Root | Wells, J. L. |
| Comstock | Hurd | Russell | Weston |
| Congdon | Husted | Sanders | Wren |

Those who voted in the negative, were

Crapsier

Treanor

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act to collect and preserve the waters in the upper Hudson river and its tributaries, and utilize the same for purposes of canal and river navigation in seasons of low water and drouth."

"An act to incorporate the Knights of the Maccabees of the World."

"An act to legalize the official acts of Henry C. Wood as notary public."

"An act to provide for payment of the expense of certain proceedings against public officers in the city of New York."

"An act allowing actions brought in the marine court of the city of New York against the mayor, aldermen and commonalty of the city of New York to be discontinued and recommenced in any court of competent jurisdiction, and the time in which the same may be brought."

"An act to amend chapter 267 of the Laws of 1875, entitled 'An act for the incorporation of societies or clubs for certain lawful purposes.'"

"An act to exempt the corporation of the village of Monticello, in Sullivan county, and the trustees and other officers of said village, from the provisions of chapter 440 of the Laws of 1873, entitled 'An act requiring commissioners of highways to act as inspectors of plank-roads and turnpikes.'"

"An act to amend chapter 83 of the Laws of 1879, entitled 'An act to dissolve the corporation known as the trustees of the town of Westchester, to abolish the office of trustee of said town, and to preserve the records of said town.'"

"An act to authorize a treaty with the Onondaga Indians."

"An act making appropriations for the payment of certain awards made by the State Board of Audit."

The bill entitled "An act to amend chapter 267 of the Laws of 1875,

entitled 'An act for the incorporation of societies or clubs for certain lawful purposes,' was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Davis | Liddle | Seeley |
| Andrews | Deane | Lindsay | Shanley |
| Baker, C. S. | Dougherty | Low | Sheridan |
| Beach | Douglass | McAvoy | Sherman |
| Beates | Duell | McCabe | Shuit |
| Benedict, E. D. | Duguid | McDonald | Skinner |
| Benedict, T. E. | Ellis | McTernan | Slingerland |
| Bradley | Ferris | Mead | Steele |
| Brennan | Fitzgerald | Miller | Tallmadge |
| Bridges | Gorsline | Mitchell | Terry |
| Brodaky | Gray | Mooers | Thilemann |
| Carpenter, E. A. | Gwinup | Morgan | Titus |
| Case | Hagan | Newman | Tozier |
| Catlin | Havens | Nowlan | Tully |
| Chickering | Hayes | Peck | Tuthill, H. H. |
| Childs | Hoffman | Pitcher | Van Valkenburgh |
| Clowes | Howland | Potter | Warner |
| Comstock | Hurd | Potts | Waterbury |
| Congdon | Husted | Roberts | Wells, D. A. |
| Cookinham | Ingersoll | Root | Wells, J. L. |
| Crapeer | Kennedy | Russell | Weston |
| Curtis | Lefever | Sanders | Wren |
| Cushing | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to further amend chapter 262 of the Laws of 1855, entitled 'An act revising and amending an act entitled 'An act to incorporate the village of Ulster,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-------------|
| Alvord | Cushing | Lefever | Seeley |
| Andrews | Davis | Liddle | Shanley |
| Baker, C. S. | Deane | Lindsay | Sherman |
| Beach | Dougherty | Low | Shuit |
| Beates | Douglass | McAvoy | Skinner |
| Benedict, T. E. | Duell | McCabe | Slingerland |
| Bennett | Duguid | McDonald | Steele |
| Bradley | Ellis | McTernan | Tallmadge |
| Brennan | Evans | Mead | Terpeny |
| Bridges | Ferris | Miller | Terry |
| Brodsky | Fish | Mitchell | Titus |
| Carpenter, I. S. | Fiske | Mooers | Tozier |
| Catlin | Gorsline | Morgan | Travis |

| | | | |
|-------------|-----------|---------|-----------------|
| Chamberlain | Gray | Newman | Tuthill, H. H. |
| Chase | Groase | Nowlan | Van Valkenburgh |
| Childs | Gwinup | Peck | Warner |
| Clark | Hagan | Pitcher | Waterbury |
| Clowes | Havens | Potts | Wells, D. A. |
| Comstock | Howland | Roberts | Wells, J. L. |
| Congdon | Hurd | Root | Weston |
| Cookinham | Husted | Russell | Wren |
| Curtis | Ingersoll | Sanders | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act for the relief of the Third Avenue Railroad Company, and to authorize the comptroller of the city of New York to pay the amount which may be found justly due to that company for services performed and material furnished in repairing certain streets in said city," being announced for a third reading,

Mr. Mitchell moved to recommit said bill to the committee on affairs of cities, with instructions to strike out the enacting clause.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill entitled "An act to repeal chapter 47 of the Laws of 1879, entitled 'An act authorizing the reduction of pay of certain town officers in the county of Sullivan,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Curtis | Lefever | Sherman |
| Andrews | Cushing | Liddle | Shuit |
| Baker, C. S. | Davis | Lindsay | Sipp |
| Beach | Deane | Low | Skinner |
| Beates | Dougherty | McCabe | Slingerland |
| Benedict, E. D. | Douglass | McDonald | Tallmadge |
| Bennett | Duguid | McTernan | Terpeny |
| Bradley | Ellis | Mead | Terry |
| Brennan | Evans | Miller | Thilemann |
| Bridges | Ferris | Mitchell | Titus |
| Brodsky | Fish | Moore | Travis |
| Carpenter, I. S. | Gorsline | Newman | Tuthill, H. H. |
| Case | Gray | Nowlan | Van Valkenburgh |
| Cadlin | Gwinup | Peck | Varnum |
| Chamberlain | Hagan | Pitcher | Warner |
| Childs | Havens | Potts | Waterbury |
| Clowes | Hayes | Roberts | Wells, D. A. |
| Comstock | Hoffman | Root | Wells, J. L. |
| Congdon | Hurd | Russell | Weston |
| Cookinham | Husted | Sanders | Wren |
| Crapser | Ingersoll | Seeley | Youngs |
| Cullinan | Kennedy | Shanley | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to exempt the corporation of the village of Monticello, in Sullivan county, and the trustees and other officers of said village, from the provisions of chapter 440 of the Laws of 1878, entitled 'An act requiring commissioners of highways to act as inspectors of plankroads and turnpikes,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Curtis | Lefever | Sherman |
| Andrews | Cushing | Liddle | Shuit |
| Baker, C. S. | Davis | Lindsay | Sipp |
| Beach | Deane | Low | Skinner |
| Beates | Dougherty | McAvoy | Slingerland |
| Benedict, E. D. | Duell | McCabe | Steele |
| Benedict, T. E. | Duguid | McCarthy | Tallmadge |
| Bennett | Ellis | McDonald | Terpeny |
| Bradley | Ferris | Mead | Terry |
| Brennan | Fish | Miller | Thilemann |
| Bridges | Fiske | Mitchell | Titus |
| Brodsky | Gorsline | Mooers | Tozier |
| Carpenter, E. A. | Gray | Peck | Tuthill, H. H. |
| Case | Gwinup | Pitcher | Van Valkenburgh |
| Catlin | Hagan | Potts | Varnum |
| Chamberlain | Havens | Roberts | Warner |
| Chase | Hayes | Root | Waterbury |
| Childs | Hoffman | Russell | Wells, D. A. |
| Clowes | Howland | Sanders | Wells, J. L. |
| Comstock | Hurd | Seeley | Weston |
| Congdon | Husted | Shanley | Wren |
| Cookinham | Ingersoll | Sheridan | Youngs |
| Cullinan | Kennedy | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to amend chapter 83 of the Laws of 1879, entitled 'An act to dissolve the corporation known as the trustees of the town of Westchester, to abolish the office of trustee of said town, and to preserve the records of said town,'" being announced for a third reading,

Mr. Russell moved to recommit said bill to the committee on the judiciary, with instructions to amend said bill in words following:

Section 2, line 14, after the word "follows" insert the following: "For the second judicial district library at Brooklyn, the sum of \$2,000."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Terry, from the committee on the judiciary, reported said bill back, amended as instructed by the House.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative,

a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }
{ NOES 15 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|--------------|
| Andrews | Deane | Low | Sipp |
| Baker, C. S. | Dougherty | McAvoy | Skinner |
| Beates | Douglass | McCabe | Strait |
| Benedict, E. D. | Evans | McCarthy | Tallmadge |
| Bennett | Fiske | McDonald | Terpeny |
| Bradley | Fitzgerald | McTernan | Terry |
| Brodsky | Gillette | Mead | Thilemann |
| Carpenter, E. A. | Gorsline | Miller | Titus |
| Carpenter, I. S. | Gray | Newman | Tormey |
| Catlin | Grosse | O'Connor | Tozier |
| Chickering | Hagan | Potts | Travis |
| Clancy | Hayes | Roberts | Treanor |
| Clark | Hurd | Russell | Varnum |
| Clowes | Husted | Sanders | Walsh |
| Cohen | Ingersoll | Seeley | Waterbury |
| Congdon | Kennedy | Shanley | Wells, D. A. |
| Cookinham | Lefever | Sheridan | Wells, J. L. |
| Cullinan | Liddle | Sherman | Weston |
| Oushing | Lindsay | Shuit | Youngs |
| Davis | | | |

Those who voted in the negative, were

| | | | |
|-----------------|---------|---------|-------------|
| Alvord | Crapeer | Fish | Mitchell |
| Benedict, T. E. | Curtis | Gwinup | Root |
| Bridges | Ellis | Havens | Slingerland |
| Case | Ferris | Hoffman | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same, with amendments.

The bill entitled "An act relating to certain assessments in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|----------|----------------|
| Baker, C. S. | Fish | McDonald | Steele |
| Brennan | Fiske | McTernan | Strait |
| Brodsky | Gillette | Mead | Tallmadge |
| Carpenter, E. A. | Gorsline | Miller | Terpeny |
| Carpenter, I. S. | Gray | Newman | Terry |
| Case | Grosse | Nowlan | Thilemann |
| Chamberlain | Hagan | O'Connor | Titus |
| Chickering | Havens | Potts | Tormey |
| Clowes | Hayes | Roberts | Tozier |
| Cohen | Hoffman | Root | Travis |
| Congdon | Howland | Russell | Treanor |
| Cullinan | Hurd | Sanders | Tuthill, H. H. |
| Curtis | Husted | Seeley | Varnum |

| | | | |
|-----------|----------|-------------|--------------|
| Cushing | Kennedy | Shanley | Walsh |
| Davis | Lefever | Sheridan | Waterbury |
| Deane | Liddle | Sherman | Wells, D. A. |
| Dougherty | Lindsay | Shuit | Wells, J. L. |
| Douglass | McAvoy | Sipp | Weston |
| Duell | McCabe | Skinner | Wren |
| Evans | McCarthy | Slingerland | Youngs |
| Ferris | | | |

Those who voted in the negative, were

Bradley

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to authorize the formation of 'corporations for manufacturing, mining, mechanical or chemical purposes,' passed February 17, 1848, and for other purposes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Cushing | Lefever | Sherman |
| Andrews | Davis | Liddle | Shuit |
| Baker, C. S. | Deane | Lindsay | Skinner |
| Beach | Douglass | McAvoy | Slingerland |
| Beates | Dagnid | McCabe | Steele |
| Benedict, T. E. | Evans | McCarthy | Strait |
| Brennan | Ferris | McDonald | Tallmadge |
| Bridges | Fish | McTernan | Terpeny |
| Brodsky | Fiske | Mead | Terry |
| Carpenter, E. A. | Gorsline | Miller | Thilemann |
| Carpenter, I. S. | Gray | Mitchell | Titus |
| Case | Grosse | Newman | Tormey |
| Oatlin | Gwinup | Nowlan | Tozier |
| Chamberlain | Hagan | Pitcher | Treanor |
| Chase | Havens | Potts | Tully |
| Chickering | Hayes | Roberts | Tuthill, H. H. |
| Clark | Hoffman | Root | Varnum |
| Clowes | Howland | Russell | Warner |
| Cohen | Hurd | Sanders | Waterbury |
| Comstock | Husted | Seeley | Wells, D. A. |
| Congdon | Ingersoll | Shanley | Wells, J. L. |
| Cookinham | Kennedy | Sheridan | Weston |
| Curtis | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to further amend chapter 908 of the Laws of 1867, entitled 'An act for the regulation of tenement and lodging houses in the cities of New York and Brooklyn,' as amended by chapter 504 of the Laws of 1879," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 47 }
{ NOES 10 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|--------------|
| Alvord | Chase | Ferris | Liddle |
| Andrews | Chickering | Fish | Low |
| Baker, C. S. | Childs | Fiske | McCabe |
| Beates | Clark | Gorsline | Miller |
| Benedict, T. E. | Clowes | Gray | Roberts |
| Brennan | Congdon | Griggs | Sanders |
| Bridges | Cookinham | Havens | Seeley |
| Brodsky | Curtis | Howland | Sherman |
| Carpenter, E. A. | Davis | Hurd | Shuit |
| Carpenter, I. S. | Douglass | Ingersoll | Wells, J. L. |
| Case | Duguid | Kennedy | Youngs |
| Chamberlain | Evans | Lefever | |

Those who voted in the negative, were

| | | | |
|---------|----------|----------|---------|
| Clancy | Mitchell | Shanley | Treanor |
| Cohen | Newman | Sheridan | Walsh |
| Hoffman | Root | | |

Mr. Mitchell moved to reconsider the vote by which said bill was lost, and that the motion do lay upon the table.

Mr. Speaker put the question whether the House would agree to lay said motion to reconsider on the table, and it was determined in the affirmative.

Mr. Travis moved to reconsider the vote by which Senate bill No. 307, entitled "An act for the relief of the Third Avenue Railroad Company, and to authorize the comptroller of the city of New York to pay the amount which may be found justly due to that company for services performed and material furnished in repairing certain streets in said city," was lost, and that the motion do lay upon the table.

Mr. Speaker put the question whether the House would agree to lay said motion to reconsider on the table, and it was determined in the affirmative.

Senate bill entitled "An act to extend the authority of the supreme court in proceedings by writ of mandamus, to correct errors in the determination of boards of county canvassers," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }
{ NOES 3 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|-------------|
| Alvord | Deane | Ingersoll | Shanley |
| Andrews | Douglass | Kennedy | Sheridan |
| Beates | Duguid | Lefever | Sherman |
| Benedict, E. D. | Ellis | Liddle | Shuit |
| Bradley | Evans | Lindsay | Skinner |
| Brennan | Ferris | McAvoy | Slingerland |
| Bridges | Fish | McCabe | Steele |
| Brodsky | Fiske | McDonald | Strait |
| Carpenter, I. S. | Fitzgerald | McTernan | Tallmadge |
| Case | Gillette | Miller | Terpeny |
| Oatlin | Gorsline | Mitchell | Terry |

| | | | |
|-------------|---------|---------|----------------|
| Chamberlain | Gray | Newman | Titus |
| Chickering | Gwinup | Pitcher | Tozier |
| Childs | Hagan | Potts | Travis |
| Congdon | Hayes | Roberts | Tully |
| Cookinham | Hoffman | Root | Tuthill, H. H. |
| Cullinan | Howland | Russell | Waterbury |
| Curtis | Hurd | Sanders | Wells, D. A. |
| Cushing | Husted | Seeley | Weston |
| Davis | | | |

Those who voted in the negative, were

| | | |
|-------|-------|--------------|
| Cohen | Walsh | Wells, J. L. |
|-------|-------|--------------|

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Husted moved that Assembly bill entitled "An act to promote agriculture and to facilitate the formation of agricultural and horticultural societies," be recommitted to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Senate bill entitled "An act to amend chapter 291 of the Laws of 1867, entitled 'An act to incorporate the city of Binghamton,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Curtis | Liddle | Shuit |
| Andrews | Cushing | Lindsay | Sipp |
| Beates | Davis | Low | Skinner |
| Benedict, E. D. | Douglass | McCabe | Slingerland |
| Benedict, T. E. | Duguid | McCarthy | Steele |
| Bennett | Ellis | McDonald | Tallmadge |
| Bradley | Evans | McTernan | Terpeny |
| Brennan | Ferris | Miller | Terry |
| Bridges | Fish | Mitchell | Thilemann |
| Brodsky | Fiske | Newman | Titus |
| Carpenter, E. A. | Gorsline | Nowlan | Tozier |
| Carpenter, I. S. | Gray | Pitcher | Travis |
| Case | Hagan | Potts | Tully |
| Oatlin | Havens | Roberts | Tuthill, H. H. |
| Chamberlain | Hayes | Root | Varnum |
| Chickering | Howland | Russell | Waterbury |
| Clark | Hurd | Sanders | Wells, D. A. |
| Clowes | Husted | Seeley | Wells, J. L. |
| Congdon | Ingersoll | Shanley | Weston |
| Crapeer | Kennedy | Sheridan | Wren |
| Cullinan | Lefever | Sherman | Yongs |

Those who voted in the negative, were

Walsh

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to amend chapter 448 of the Laws of 1863, entitled 'An act to incorporate the Society for the Protection of Destitute Roman Catholic Children in the city of New York,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|-----------------|------------|----------|----------------|
| Alvord | Douglass | Low | Shuit |
| Andrews | Duell | McAvoy | Sipp |
| Beates | Duguid | McCabe | Skinner |
| Benedict, T. E. | Fish | McCarthy | Slingerland |
| Bradley | Fiske | McDonald | Steele |
| Brennan | Fitzgerald | McTernan | Tallmadge |
| Bridges | Gillette | Mead | Terpeny |
| Brodsky | Gorsline | Miller | Terry |
| Cass | Gray | Morgan | Titus |
| Catlin | Gwinup | Newman | Tozier |
| Chamberlain | Hagan | O'Connor | Travis |
| Chickering | Hayes | Peck | Treanor |
| Clark | Hoffman | Pitcher | Tully |
| Cohen | Howland | Potts | Futhill, H. H. |
| Costello | Hurd | Roberts | Waterbury |
| Cullinan | Husted | Root | Wells, D. A. |
| Curtis | Kennedy | Sanders | Wells, J. L. |
| Cushing | Lefever | Shanley | Weston |
| Davis | Liddle | Sheridan | Wren |
| Deane | Lindsay | Sherman | Youngs |

Those who voted in the negative, were

Ellis

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act further to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn and the various amendments thereof,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|----------|-------------|
| Alvord | Davis | Liddle | Sherman |
| Andrews | Deane | Lindsay | Shuit |
| Beates | Douglass | McAvoy | Sipp |
| Benedict, T. E. | Duell | McCabe | Skinner |
| Bennett | Duguid | McCarthy | Slingerland |
| Bradley | Evans | McDonald | Steele |
| Brodsky | Ferris | McTernan | Tallmadge |
| Carpenter, I. S. | Fiske | Miller | Terpeny |

| | | | |
|-------------|------------|----------|--------------|
| Case | Fitzgerald | Moors | Terry |
| Catlin | Gillette | Morgan | Titus |
| Chamberlain | Gorsline | Newman | Tozier |
| Chickering | Gray | Peck | Travis |
| Childs | Gwinup | Pitcher | Tully |
| Clark | Hayes | Potts | Varnum |
| Clowes | Hoffman | Roberts | Waterbury |
| Cohen | Howland | Root | Wells, D. A. |
| Congdon | Hurd | Russell | Wells, J. L. |
| Cookinham | Husted | Sanders | Weston |
| Cullinan | Ingersoll | Seeley | Wren |
| Curtis | Kennedy | Shanley | Youngs |
| Cushing | Lefever | Sheridan | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to incorporate the Empire Yacht Club of the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 99 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|--------------|
| Alvord | Davis | Little | Shanley |
| Andrews | Dougherty | Lindsay | Sheridan |
| Baker, B. F. | Douglass | Low | Sherman |
| Baker, C. S. | Duell | McAvoy | Shuit |
| Beach | Duguid | McCabe | Sipp |
| Beates | Ellis | McCarthy | Skinner |
| Benedict, T. E. | Evans | McDonald | Slingerland |
| Bennett | Ferris | Mead | Steele |
| Brennan | Fish | Miller | Strait |
| Bridges | Fiske | Mitchell | Tallmadge |
| Brodsky | Fitzgerald | Moors | Terpeny |
| Carpenter, E. A. | Gorsline | Morgan | Terry |
| Carpenter, I. S. | Gray | Newman | Thilemann |
| Case | Griggs | Nowlan | Titus |
| Catlin | Gwinup | O'Connor | Tormey |
| Chamberlain | Hagan | Peck | Tozier |
| Chickering | Havens | Phillips | Travis |
| Childs | Hayes | Pitcher | Treanor |
| Clark | Hoffman | Potter | Tully |
| Clowes | Howland | Potts | Walsh |
| Cohen | Hurd | Roberts | Warner |
| Comstock | Husted | Root | Waterbury |
| Cookinham | Ingersoll | Russell | Wells, D. A. |
| Cullinan | Kennedy | Sanders | Wells, J. L. |
| Curtis | Lefever | Seeley | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Gorsline, and by unanimous consent, the committee of the whole were discharged from the further consideration of Senate bill entitled "An act to amend chapter 157 of the Laws of 1844, entitled 'An act to incorporate the village of Mohawk,'" and the same was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 3 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|--------------|
| Alvord | Cushing | Lefever | Seeley |
| Andrews | Davis | Liddle | Shanley |
| Baker, B. F. | Deane | Lindsay | Sheridan |
| Baker, C. S. | Dougherty | Low | Sherman |
| Beates | Douglass | McAvoy | Shuit |
| Bradley | Ellis | McCabe | Sipp |
| Brennan | Evans | McCarthy | Skinner |
| Bridges | Ferris | McDonald | Slingerland |
| Brodsky | Fish | Mead | Steele |
| Carpenter, E. A. | Fitzgerald | Miller | Strait |
| Carpenter, I. S. | Gillette | Mitchell | Tallmadge |
| Care | Gorsline | Moors | Terpeny |
| Catlin | Gray | Morgan | Thilemann |
| Chamberlain | Griggs | Nowlan | Titus |
| Childs | Gwinup | O'Connor | Tozier |
| Clark | Hagan | Peck | Tully |
| Clowes | Havens | Pitcher | Varuum |
| Cromstock | Hayes | Potts | Warner |
| Cugdon | Hoffman | Roberts | Waterbury |
| Cookinham | Howland | Root | Wells, D. A. |
| Crapser | Ingersoll | Russell | Wells, J. L. |
| Cullinan | Kennedy | Sanders | Weston |

Those who voted in the negative, were

| | | |
|------------|--------|--------|
| Conckering | Newman | Tormey |
|------------|--------|--------|

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend chapter 398 of the Laws of 1871, entitled 'An act in relation to the improvement of the First avenue in the city of New York,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }
{ NOES 11 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|-------------|
| Alvord | Crapser | Hayes | Roberts |
| Andrews | Cullinan | Hoffman | Root |
| Baker, B. F. | Curtis | Howland | Sanders |
| Baker, C. S. | Cushing | Hurd | Seeley |
| Beates | Davis | Husted | Sherman |
| Benedict, E. D. | Deane | Ingersoll | Shuit |
| Brennan | Dougherty | Kennedy | Slingerland |
| Bridges | Douglass | Lefever | Steele |
| Brodsky | Duguid | Liddle | Strait |
| Carpenter, E. A. | Ferris | Low | Tallmadge |

| | | | |
|------------------|------------|----------|--------------|
| Carpenter, I. S. | Fish | McAvoy | Terpeny |
| Case | Fitzgerald | McCabe | Thilemann |
| Catlin | Gillette | McCarthy | Titus |
| Chamberlain | Gorsline | McDonald | Treanor |
| Childs | Gray | Mead | Varnum |
| Clark | Griggs | Nowlan | Walsh |
| Cohen | Grosse | O'Connor | Waterbury |
| Comstock | Gwinup | Peck | Wells, J. L. |
| Congdon | Hagan | Pitcher | Weston |
| Costello | | | |

Those who voted in the negative, were

| | | | |
|------------|----------|--------|---------|
| Chickering | Evans | Newman | Skinner |
| Cookinham | Miller | Potts | Youngs |
| Ellis | Mitchell | Sipp | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to amend chapter 524 of the Laws of 1853, entitled 'An act to amend an act entitled 'An act to incorporate the Montezuma Turnpike and Bridge Company,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 96 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|--------------|
| Alvord | Cullinan | Husted | Seeley |
| Andrews | Curtis | Ingersoll | Shanley |
| Baker, B. F. | Cushing | Kennedy | Sheridan |
| Baker, C. S. | Davis | Lefever | Sherman |
| Beates | Dougherty | Liddle | Shuit |
| Benedict, T. E. | Douglass | Low | Sipp |
| Bennett | Duguid | McAvoy | Skinner |
| Bradley | Ellis | McCabe | Slingerland |
| Brennan | Evans | McCarthy | Steele |
| Bridges | Ferris | McDonald | Strait |
| Brodsky | Fish | Mead | Tallmadge |
| Carpenter, E. A. | Fiske | Miller | Terpeny |
| Carpenter, I. S. | Fitzgerald | Mitchell | Thilemann |
| Case | Gillette | Moors | Titus |
| Catlin | Gorsline | Morgan | Tozier |
| Chamberlain | Gray | Nowlan | Travis |
| Chickering | Griggs | O'Connor | Tully |
| Childs | Grosse | Peck | Varnum |
| Clark | Gwinup | Pitcher | Walsh |
| Clowes | Hagan | Potts | Warner |
| Comstock | Hayes | Roberts | Waterbury |
| Congdon | Hoffman | Root | Wells, D. A. |
| Cookinham | Howland | Russell | Wells, J. L. |
| Crapser | Hurd | Sanders | Weston |

Those who voted in the negative, were

Youngs

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to amend chapter 918 of the Laws of 1871, entitled 'An act to amend the charter of the city of Cohoes,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|--------------|
| Alvord | Cushing | Kennedy | Seeley |
| Andrews | Davis | Lefever | Shanley |
| Baker, B. F. | Deane | Liddle | Sheridan |
| Baker, C. S. | Dougherty | Low | Sherman |
| Beach | Douglass | McAvoy | Shuit |
| Beates | Duell | McCabe | Sipp |
| Benedict, T. E. | Duguid | McCarthy | Skinner |
| Brennan | Ellis | McDonald | Slingerland |
| Bridges | Evans | Mead | Steele |
| Brodsky | Ferris | Miller | Strait |
| Carpenter, E. A. | Fish | Mitchell | Tallmadge |
| Carpenter, I. S. | Fitzgerald | Mooers | Terpeny |
| Catlin | Gillette | Morgan | Thilemann |
| Chamberlain | Gorsline | Nowlan | Titus |
| Chickering | Gray | O'Connor | Tozier |
| Childs | Griggs | Peck | Tully |
| Clark | Gwinup | Pitcher | Varnum |
| Clowes | Hagan | Potter | Warner |
| Gomstock | Hayes | Potts | Waterbury |
| Congdon | Hoffman | Roberts | Wells, D. A. |
| Cookinham | Howland | Root | Wells, J. L. |
| Crapsier | Hurd | Russell | Weston |
| Cullinan | Ingersoll | Sanders | Youngs |
| Curtis | | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to repeal chapter 281 of the Laws of 1876, entitled 'An act to amend an act entitled 'An act to provide for a supply of water in the village of Cohoes,' and also section 2 of chapter 275 of the Laws of 1870, entitled 'An act to amend an act entitled 'An act to provide for a supply of water in the village of Cohoes,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|--------------|--------|----------|-------------|
| Alvord | Duguid | McAvoy | Sheridan |
| Andrews | Ellis | McCabe | Sherman |
| Baker, B. F. | Evans | McCarthy | Shuit |
| Baker, C. S. | Ferris | McDonald | Sipp |
| Beach | Fish | Mead | Skinner |
| Beates | Fiske | Miller | Slingerland |

| | | | |
|------------------|------------|----------|-----------------|
| Bradley | Fitzgerald | Mitchell | Steele |
| Brennan | Gillette | Mooers | Strait |
| Brodsky | Gorsline | Morgan | Tallmadge |
| Carpenter, I. S. | Gray | Newman | Terpeny |
| Catlin | Griggs | Nowlan | Thilemann |
| Chickering | Grosse | O'Connor | Tozier |
| Childs | Gwinup | Peck | Travis |
| Clark | Hayes | Pitcher | Tully |
| Clowes | Hoffman | Potter | Van Valkenburgh |
| Comstock | Howland | Potts | Varnum |
| Congdon | Hurd | Roberts | Warner |
| Cookinham | Husted | Root | Waterbury |
| Crapser | Ingersoll | Russell | Wells, D. A. |
| Curtis | Kennedy | Sanders | Wells, J. L. |
| Davis | Lefever | Seeley | Weston |
| Dougherty | Liddle | Shanley | Youngs |
| Douglass | Low | | |

Those who voted in the negative, were
Benedict, T. E.

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act further to amend chapter 413 of the Laws of 1861, entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester, and to consolidate therewith the several acts in relation to the city of Rochester, as amended by chapter 14 of the Laws of 1880,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }
{ NOES 2 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|--------------|
| Alvord | Crapser | Ingersoll | Sanders |
| Andrews | Curtis | Kennedy | Seeley |
| Baker, B. F. | Cushing | Lefever | Shanley |
| Baker, C. S. | Davis | Liddle | Sheridan |
| Beach | Deane | Low | Shuit |
| Beates | Dougherty | McAvoy | Sipp |
| Benedict, T. E. | Douglass | McCabe | Skinner |
| Bradley | Duguid | McCarthy | Slingerland |
| Brennan | Evans | McDonald | Steele |
| Bridges | Ferris | Mead | Strait |
| Brodsky | Fish | Miller | Tallmadge |
| Carpenter, E. A. | Fitzgerald | Mooers | Terpeny |
| Carpenter, I. S. | Gorsline | Newman | Terry |
| Case | Gray | Nowlan | Tozier |
| Catlin | Griggs | O'Connor | Travis |
| Chickering | Grosse | Peck | Tully |
| Childs | Hagan | Pitcher | Varnum |
| Clark | Hayes | Potts | Waterbury |
| Clowes | Hoffman | Roberts | Wells, J. L. |
| Comstock | Howland | Root | Youngs |
| Cookinham | Husted | Russell | |

Those who voted in the negative, were
Gwinup Havens

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the rebuilding of Fulton market in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }
{ NOES 3 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|-----------------|
| Alvord | Davis | Ingersoll | Sanders |
| Andrews | Deane | Kennedy | Seeley |
| Baker, B. F. | Douglass | Lefever | Sheridan |
| Baker, C. S. | Duell | Liddle | Sherman |
| Beach | Duguid | Lindsay | Shuit |
| Beates | Evans | Low | Skinner |
| Bradley | Ferris | McAvoy | Slingerland |
| Bridges | Fish | McCabe | Steele |
| Brodsky | Fiske | McDonald | Tallmadge |
| Carpenter, E. A. | Fitzgerald | Mead | Terpeny |
| Carpenter, I. S. | Gillette | Miller | Terry |
| Case | Gorsline | Mitchell | Thilemann |
| Chickering | Gray | Mooers | Treanor |
| Childs | Griggs | Newman | Tully |
| Clark | Grosse | Nowlan | Van Valkenburgh |
| Clowes | Gwinup | O'Connor | Varnum |
| Comstock | Havens | Peck | Walsh |
| Congdon | Hayes | Pitcher | Waterbury |
| Cookinham | Hoffman | Potts | Wells, J. L. |
| Crapser | Howland | Roberts | Weston |
| Cullinan | Hurd | Root | Wren |
| Curtis | Husted | Russell | Youngs |
| Cushing | | | |

Those who voted in the negative, were

Bennett Dougherty Shanley

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act supplementary to chapter 374 of the Laws of 1868, entitled 'An act to amend chapter 200 of the Laws of 1874, entitled 'An act to authorize the appraisal and sale of leased fine salt lots on the Onondaga Salt Springs Reservation by the Commissioners of the Land Office, and to authorize the sale of certain coarse salt lands, the removal of vats therefrom, and the purchase of other lands in lieu thereof,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }
{ NOES 3 }

Those who voted in the affirmative, were

| | | | |
|---------|-------|----------|--------|
| Alvord | Ellis | McCabe | Sipp |
| Andrews | Evans | McCarthy | Sisson |

| | | | |
|------------------|------------|----------|-----------------|
| Baker, C. S. | Ferris | McDonald | Skinner |
| Beach | Fish | McTernan | Slingerland |
| Benedict, T. E. | Fitzgerald | Mead | Steele |
| Brennan | Gillette | Miller | Strait |
| Bridges | Gorsline | Mooers | Tallmadge |
| Brodsky | Hagan | Newman | Terpeny |
| Carpenter, I. S. | Havens | O'Connor | Terry |
| Catlin | Hayes | Peck | Thilemann |
| Chamberlain | Hoffman | Pitcher | Titus |
| Clark | Howland | Potts | Tormey |
| Clowes | Hurd | Roberts | Tozier |
| Congdon | Husted | Root | Travis |
| Curtis | Ingersoll | Russell | Treanor |
| Cushing | Kennedy | Sanders | Van Valkenburgh |
| Davis | Lefever | Seeley | Waterbury |
| Deane | Liddle | Shanley | Wells, D. A. |
| Dougherty | Lindsay | Sheridan | Wells, J. L. |
| Douglass | Low | Sherman | Weston |
| Duguid | McAvoy | Shuit | Wren |

Those who voted in the negative, were

Chickering Duell Youngs

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to incorporate the 'Governor's Guard' of the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 61 }
{ NOES 27 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Cullinan | Kennedy | Sherman |
| Andrews | Davis | Lefever | Shuit |
| Baker, C. S. | Dougherty | Liddle | Sisson |
| Beach | Duguid | McCarthy | Steele |
| Beates | Evans | Mead | Strait |
| Benedict, T. E. | Ferris | Miller | Thilemann |
| Brennan | Fish | Mooers | Titus |
| Brodsky | Gillette | Morgan | Tozier |
| Carpenter, E. A. | Gorsline | Newman | Tully |
| Carpenter, I. S. | Griggs | Nowlan | Van Valkenburgh |
| Catlin | Hagan | O'Connor | Walsh |
| Chase | Havens | Peck | Waterbury |
| Childs | Hayes | Sanders | Wells, D. A. |
| Clancy | Hurd | Shanley | Weston |
| Clark | Ingersoll | Sheridan | Wren |
| Clowes | | | |

Those who voted in the negative, were

| | | | |
|------------|----------|----------|---------|
| Bradley | Curtis | Howland | Root |
| Bridges | Cushing | Husted | Seeley |
| Chickering | Deane | Low | Sipp |
| Congdon | Douglass | McDonald | Skinner |
| Cookinham | Duell | Pitcher | Varnum |
| Costello | Gray | Potts | Youngs |
| Crapser | Hoffman | Roberts | |

Mr. Shanley moved to reconsider the vote by which said bill was lost, and that the motion do lay upon the table.

Mr. Speaker put the question whether the House would agree to lay said motion to reconsider on the table, and it was determined in the affirmative.

By unanimous consent,

Mr. Duguid offered for the consideration of the House a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor requesting the return of Assembly bill No. 23, general orders 21, entitled "An act to regulate voting by stock and bondholders of railroad corporations," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The bill entitled "An act to confirm certain deeds given by the mayor and aldermen of the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 75 }
{ NOES 4 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-------------|-----------------|
| Alvord | Duguid | Miller | Steele |
| Andrews | Evans | Mitchell | Tallmadge |
| Baker, C. S. | Ferris | Mooers | Terpeny |
| Beach | Fish | Morgan | Terry |
| Beates | Fitzgerald | Newman | Thilemann |
| Bradley | Gillette | Nowlan | Titus |
| Brennan | Gorsline | Pitcher | Tozier |
| Bridges | Grosse | Potts | Travis |
| Brodsky | Hayes | Root | Tully |
| Carpenter, E. A. | Hoffman | Russell | Van Valkenburgh |
| Chickering | Hurd | Sanders | Varnum |
| Clark | Ingersoll | Seeley | Walsh |
| Cookinham | Kennedy | Shanley | Waterbury |
| Crapser | Lefever | Sheridan | Wells, D. A. |
| Oullinan | McAvoy | Sherman | Wells, J. L. |
| Curtis | McCabe | Shuit | Weston |
| Davis | McCarthy | Sisson | Wren |
| Dougherty | McDonald | Skinner | Youngs |
| Douglass | Mead | Slingerland | |

Those who voted in the negative, were

| | | | |
|-----------------|--------|-------|--------|
| Benedict, T. E. | Clancy | Ellis | Havens |
|-----------------|--------|-------|--------|

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the following bills:

"An act to amend chapter 806 of the Laws of 1868, entitled 'An act to incorporate the Fire Proof Warehousing Company.'"

"An act to abolish the office of marshal of the city of New York, and to provide for the appointment of officers in lieu of marshals in said city, and making certain regulations concerning the same."

"An act to authorize the trustees of the village of Pierrepont, in the county of Rockland, to macadamize the highway in said village."

"An act supplemental to chapter 337, Laws of 1864, entitled 'An act to facilitate the construction of water-ways, and to increase the facilities of navigation in the transportation of freight and passengers.'"

"An act to amend chapter 426 of the Laws of 1847, entitled 'An act to provide for the incorporation of villages,' so far as the same relates to the village of Corning, in the county of Steuben."

"An act to amend chapter 133 of the Laws of 1847, entitled 'An act authorizing the incorporation of rural cemetery associations.'"

"An act relating to the title to personal property."

"An act to amend section 376 of the Code of Civil Procedure."

"An act to provide for the rebuilding of Fulton market in the city of New York."

"An act to facilitate the collection of judgments."

"An act giving the right to interpose supplemental pleading setting forth a discharge in bankruptcy."

"An act to further amend chapter 448 of the Laws of 1876, entitled 'An act relating to courts, officers of justice, and civil proceedings.'"

"An act to amend chapter 398 of the Laws of 1871, entitled 'An act in relation to the improvement of the First avenue in the city of New York.'"

"An act for the preservation of the public health in the city of New York."

"An act for the relief of Phillip Hathaway."

"An act relating to certain assessments for local improvements in the city of New York."

A message from the Senate was received and read, informing of concurrence in Assembly resolutions, asking the return by the Governor of Assembly bill No. 153, entitled "An act declaring Independence river, and its tributaries in Lewis and Herkimer counties, a public highway;" also, "An act in relation to the partition of lands held by husband and wife as joint tenants, tenants in common, or as tenants by entireties," for amendment.

Ordered, That the Clerk deliver said resolutions to the Governor.

A message from the Senate was received and read, informing of concurrence in the following bills:

"An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages.'"

"An act to authorize the investment of moneys applicable to the redemption and payment of bonds of the town of Westport, Essex county, New York, on real estate security."

"An act to provide for leasing wharf property necessary for ferry purposes along with the franchise of a ferry within the city of New York."

"An act to amend chapter 519 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo.'"

"An act to provide for the organization and formation of companies for the purpose of increasing the water supply of Deer river, in Lewis county, in aid of the milling and manufacturing interests thereof."

Ordered, That the Clerk deliver said bills to the Governor.

The hour of 8 having arrived, the House adjourned.

WEDNESDAY MORNING, MAY 19, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Samuel E. Smith.

The journal of yesterday was read and approved.

Privileges of the floor were granted to Hon. Mr. Johnson, also Hon. Samuel D. Morris.

The bill entitled "An act to amend section 82, article 3, title 4, chapter 2, part 4 of the Revised Statutes, relative to removing indictments to the Supreme Court from the courts of oyer and terminer," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Curtis | Hurd | Seeley |
| Andrews | Cushing | Kennedy | Shanley |
| Beach | Davis | Lefever | Sherman |
| Beates | Deane | Liddle | Shuit |
| Benedict, E. D. | Dougherty | Lindsay | Sisson |
| Bradley | Douglass | McAvoy | Skinner |
| Brennan | Ellis | Miller | Steele |
| Bridges | Evans | Mooers | Tallmadge |
| Brodsky | Ferris | Morgan | Terpeny |
| Bullock | Fish | Newman | Torney |
| Carpenter, I. S. | Fiske | Nowlan | Tozier |
| Case | Gibbs | Parker | Treanor |
| Childs | Gorsline | Peck | Tuthill, H. H. |
| Clark | Gray | Phillips | Waterbury |
| Clowes | Griggs | Pitcher | Wells, D. A. |
| Cohen | Gwinup | Potts | Wells, J. L. |
| Comstock | Hagan | Roberts | Weston |
| Congdon | Havens | Root | Wren |
| Crapser | Hoffman | Russell | Youngs |
| Cullinan | Howland | Sanders | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 633 of the Laws of 1875, entitled 'An act to amend the charter of the city of Brooklyn, being the act for that purpose passed June 28, 1873, and the act for that purpose passed June 1, 1874,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }
{ NOES 2 }

Those who voted in the affirmative, were

| | | | |
|---------|----------|---------|---------|
| Alvord | Cullinan | Kennedy | Sanders |
| Andrews | Curtis | Lefever | Seeley |

| | | | |
|------------------|------------|----------|----------------|
| Baker, C. S. | Davis | Liddle | Shuit |
| Beates | Deane | Lindsay | Sisson |
| Benedict, E. D. | Dougherty | Low | Skinner |
| Benedict, T. E. | Douglass | McCabe | Steele |
| Bradley | Duell | McCarthy | Tallmadge |
| Brennan | Ellis | Miller | Terpeny |
| Bridges | Evans | Mooers | Thilemann |
| Brodskey | Ferris | Morgan | Tormey |
| Bullock | Fish | Parker | Tozier |
| Carpenter, I. S. | Fitzgerald | Peck | Tully |
| Case | Gibbs | Phillips | Tuthill, H. H. |
| Childs | Gray | Pitcher | Varnum |
| Clancy | Griggs | Potts | Waterbury |
| Clark | Gwinup | Rhodes | Wells, D. A. |
| Clowes | Hagan | Roberts | Wells, J. L. |
| Congdon | Havens | Root | Weston |
| Costello | Howland | Russell | Wren |
| Crapser | Hurd | | |

Those who voted in the negative, were

Cohen Cushing

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to repeal an act entitled 'An act to create a metropolitan sanitary district and a board of health therein for the preservation of life and health and to prevent the spread of disease, passed February 26, 1866, so far as it relates to the town of Newtown, Queens county, and to provide for the appointment of a board of health in said town, and defining its powers and duties,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Cushing | Liddle | Sheridan |
| Andrews | Davis | Lindsay | Shuit |
| Baker, C. S. | Deane | Low | Sisson |
| Beates | Dougherty | McAvoy | Skinner |
| Benedict, E. D. | Douglass | McCabe | Slingerland |
| Benedict, T. E. | Duell | McCarthy | Steele |
| Bennett | Ellis | Miller | Tallmadge |
| Bradley | Evans | Mooers | Terpeny |
| Brennan | Ferris | Morgan | Thilemann |
| Bridges | Fish | Newman | Tozier |
| Brodskey | Fitzgerald | Parker | Treanor |
| Bullock | Gibbs | Peck | Tully |
| Carpenter, I. S. | Gray | Pitcher | Tuthill, H. H. |
| Catlin | Griggs | Potts | Varnum |
| Childs | Gwinup | Rhodes | Warner |
| Clark | Hagan | Roberts | Waterbury |
| Clowes | Howland | Root | Wells, D. A. |
| Congdon | Hurd | Russell | Wells, J. L. |
| Costello | Husted | Sanders | Weston |
| Cullinan | Kennedy | Seeley | Wren |
| Curtis | Lefever | Shanley | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 806 of the Laws of 1868, entitled 'An act to incorporate the Fire Proof Warehousing Company,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 76 }
{ NOES 3 }

Those who voted in the affirmative, were

| | | | |
|-----------------|------------|----------|----------------|
| Alvord | Deane | Lindsay | Shanley |
| Andrews | Dougherty | Low | Sherman |
| Baker, C. S. | Douglass | McAvoy | Sipp |
| Beach | Ellis | McCabe | Slingerland |
| Beates | Evans | McCarthy | Steele |
| Benedict, E. D. | Ferris | Miller | Tallmadge |
| Bennett | Fish | Mooers | Terpeny |
| Bridges | Fitzgerald | Morgan | Terry |
| Brodsky | Gorsline | Newman | Tozier |
| Bullock | Gray | O'Connor | Treanor |
| Catlin | Griggs | Peck | Tully |
| Childs | Hagan | Pitcher | Tuthill, H. H. |
| Clark | Havens | Potter | Warner |
| Clowes | Howland | Potts | Waterbury |
| Cohen | Hurd | Roberts | Wells, D. A. |
| Congdon | Husted | Root | Wells, J. L. |
| Cullinan | Kennedy | Russell | Weston |
| Cushing | Lefever | Sanders | Wren |
| Davis | Liddle | Seeley | Youngs |

Those who voted in the negative, were

| | | |
|---------|--------|---------|
| Bradley | Curtis | Skinner |
|---------|--------|---------|

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend section 1323 of the Code of Civil Procedure," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 97 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|------------|----------|-------------|
| Andrews | Davis | Lefever | Sheridan |
| Baker, B. F. | Deane | Liddle | Sherman |
| Baker, C. S. | Douglass | Low | Shuit |
| Beach | Duell | McAvoy | Sipp |
| Beates | Duguid | McCabe | Sisson |
| Benedict, E. D. | Ellis | McCarthy | Skinner |
| Bradley | Evans | McDonald | Slingerland |
| Brennan | Ferris | Miller | Steele |
| Bridges | Fish | Mooers | Strait |
| Brodsky | Fiske | Newman | Tallmadge |
| Bullock | Fitzgerald | Nowlan | Terpeny |

| | | | |
|------------------|-----------|----------|----------------|
| Carpenter, I. S. | Gibbs | Parker | Thilemann |
| Case | Gillette | Peck | Titus |
| Catlin | Gorsline | Phillips | Tormey |
| Chickering | Gray | Pitcher | Tozier |
| Clark | Griggs | Potter | Treanor |
| Clowes | Gwinup | Potts | Tully |
| Cohen | Hagan | Rhodes | Tuthill, H. H. |
| Comstock | Hayes | Roberts | Varnum |
| Congdon | Hoffman | Root | Warner |
| Cookinham | Howland | Russell | Waterbury |
| Costello | Husted | Sanders | Weston |
| Cullinan | Ingersoll | Seeley | Wren |
| Curtis | Kennedy | Shanley | Youngs |
| Cushing | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to prevent the sale of adulterated article as cider vinegar," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 104 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Cushing | Lefever | Seeley |
| Andrews | Davis | Liddle | Shanley |
| Baker, B. F. | Deane | Lindsay | Sheridan |
| Baker, C. S. | Dougherty | Low | Sherman |
| Beach | Douglass | McAvoy | Shuit |
| Beates | Duell | McCabe | Sipp |
| Benedict, E. D. | Ellis | McCarthy | Sisson |
| Benedict, T. E. | Evans | McDonald | Skinner |
| Bennett | Ferris | Mead | Slingerland |
| Bradley | Fish | Miller | Steele |
| Brennan | Fiske | Mooers | Strait |
| Brodsky | Fitzgerald | Morgan | Tallmadge |
| Bullock | Gibbs | Newman | Terpeny |
| Carpenter, I. S. | Gillette | Nowlan | Thilemann |
| Case | Gray | O'Connor | Titus |
| Catlin | Griggs | Parker | Tormey |
| Clark | Grosse | Peck | Tozier |
| Clowes | Gwinup | Phillips | Treanor |
| Cohen | Hagan | Pitcher | Tully |
| Comstock | Havens | Potter | Tuthill, H. H. |
| Congdon | Hayes | Potts | Tuttle, R. M. |
| Cookinham | Hoffman | Rhodes | Varnum |
| Costello | Howland | Roberts | Waterbury |
| Crapser | Husted | Root | Weston |
| Cullinan | Ingersoll | Russell | Wren |
| Curtis | Kennedy | Sanders | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act providing for the holding of the annual town meeting of the town of Esopus at three polls," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 107 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|----------------|
| Alvord | Cullinan | Ingersoll | Shanley |
| Andrews | Curtis | Kennedy | Sherman |
| Baker, B. F. | Cushing | Lefever | Shuit |
| Baker, C. S. | Davis | Liddle | Sipp |
| Beach | Deane | Lindsay | Sisson |
| Beates | Dougherty | Low | Skinner |
| Benedict, E. D. | Douglass | McAvoy | Slingerland |
| Benedict, T. E. | Duell | McCabe | Steele |
| Bennett | Ellis | McCarthy | Strait |
| Bradley | Evans | McDonald | Tallmadge |
| Brennan | Ferris | Miller | Terpeny |
| Bridges | Fish | Mitchell | Thilemann |
| Brodsky | Fiske | Newman | Titus |
| Bullock | Fitzgerald | Nowlan | Tormey |
| Carpenter, E. A. | Gibbs | O'Connor | Tozier |
| Carpenter, I. S. | Gillette | Parker | Travis |
| Case | Gorsline | Peck | Treanor |
| Catlin | Gray | Phillips | Tully |
| Chase | Griggs | Pitcher | Tuthill, H. H. |
| Clark | Grosse | Potter | Tuttle, R. M. |
| Clowes | Gwinup | Potts | Varnum |
| Cohen | Hagan | Rhodes | Walsh |
| Comstock | Hayes | Roberts | Warner |
| Congdon | Hoffman | Root | Waterbury |
| Cookinham | Howland | Russell | Weston |
| Costello | Hurd | Sanders | Youngs |
| Crapser | Husted | Seeley | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 13 of part 1 of the Revised Statutes," being announced for a third reading,

Mr. Steele moved to recommit said bill to the special committee on taxation, with instructions to amend said bill in words following, and report forthwith:

Amend section 2 so as to read as follows:

Subdivision 4, in the fourth column; "the full value of all the taxable personal property owned or possessed by such person."

Subdivision 5, in the fifth column, "the full amount of both real and personal property owned by such persons set forth in columns 4 and 5."

Subdivision 6, in the sixth column, "the total indebtedness of such persons for property taxable under the laws of this State, after deducting therefrom the full value of all property exempt from execution owned by him."

Subdivision 7, in the seventh column, "the net assessment of such person to be obtained by deducting his indebtedness, as shown in the sixth column, from the total value of his resources, as shown in the fifth column."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Steele, from the special committee of taxation, reported said bill back amended as instructed by the House.

Mr. Husted moved to recommit said bill to the special committee on taxation and assessments, with instructions to amend said bill in words following:

At the end of subdivision 7, section 4, insert "excepting that the property of the trustees of the Marvin Hall and Asylum Fund in the city of New York, located at the corner of Sixth avenue and Twenty-third street in said city, and known as the Masonic Temple, shall be exempt from such assessment."

Mr. Husted moved the previous question.

Mr. Speaker put the question, "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Husted, and it was determined in the affirmative.

Mr. Steele, from said committee, reported said bill, as amended, back to the House.

Mr. Alvord moved to reconsider the motion by which the previous question was carried.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Husted then withdrew his motion for the previous question.

On motion of Mr. Sherman, and by unanimous consent, said bill was amended in words following:

Amend section 5 by striking out the word "immediately" and insert the words "January 1, 1881."

Mr. Shanley moved to recommit said bill to the committee on special taxation, with instruction to amend said bill in words following:

Add a new section as section 5: "Nothing in this act shall affect the real and personal estate of the Brooklyn Benevolent Association. All moneys, bonds and other property held by any charitable or religious society for the relief of the sick, the burial of the dead, or for the protection of widows and orphans."

Mr. Rhodes moved to further instruct said committee to amend as follows:

Amend subdivision 5, section 4, by striking out the words: "The use of which is given to the public without charge."

Mr. Speaker put the question whether the House would agree to the motion of Mr. Shanley, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to the motion of Mr. Rhodes, and it was determined in the negative.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }
{ NOES 26 }

Those who voted in the affirmative, were

| | | | |
|--------------|----------|---------|---------|
| Alvord | Comstock | Hoffman | Seeley |
| Baker, B. F. | Congdon | Howland | Sherman |

| | | | |
|------------------|-----------|-----------|-----------------|
| Baker, C. S. | Cookinham | Ingersoll | Shuit |
| Beach | Crapser | Kennedy | Sissor |
| Beates | Curtis | Lefever | Skinner |
| Benedict, T. E. | Davis | Lindsay | Slingerland |
| Bennett | Deane | Low | Steele |
| Bradley | Douglass | McCabe | Tallmadge |
| Brennan | Duell | McCarthy | Thilemann |
| Bridges | Duguid | Miller | Titus |
| Brodsky | Ellis | Moors | Tozier |
| Bullock | Evans | Morgan | Travis |
| Carpenter, E. A. | Ferris | Nowlan | Van Valkenburgh |
| Case | Fish | Parker | Warner |
| Chamberlain | Fiske | Phillips | Wells, D. A. |
| Chase | Gorsline | Potter | Wells, J. L. |
| Chickering | Gray | Roberts | Weston |
| Childs | Grosse | Root | Wren |
| Clark | Havens | Russell | Youngs |
| Clowes | Hayes | Sanders | |

Those who voted in the negative, were

| | | | |
|------------------|------------|----------|-------------|
| Benedict, E. D. | Dougherty | Newman | Tormey |
| Carpenter, I. S. | Fitzgerald | O'Connor | Treanor |
| Catlin | Gibbs | Potts | Tully |
| Clancy | Hagan | Shanley | Varnum |
| Cohen | McAvoy | Sheridan | Walsh |
| Costello | McTernan | Strait | Mr. Speaker |
| Cushing. | Mitchell | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence the bills entitled as follows :

"An act to provide for the establishment of a house of correction and refuge for women," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons.

"An act to amend chapter 13 of part 1 of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the special committee on taxation.

"An act to enlarge the powers of the Waterville Opera House Company (limited)," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

"An act for the relief of Augustus T. Morris, and of the estate of James Cummings, deceased," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to provide for the establishment and management of a permanent fund for the Buffalo Society of Natural Sciences," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Roberts, and by unanimous consent, said bill was ordered to a third reading.

"An act to amend Code of Civil Procedure, passed June 2, 1876, and the several acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to incorporate the Knights of the Maccabees of the World,"

which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Tozier, and by unanimous consent, said bill was substituted for Assembly bill on same subject.

"An act for prevention of accidents to children," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Senate sent for concurrence the following resolutions :

Resolved (if the Assembly concur), that a respectful message be sent to the Governor, requesting the return of Senate bill No. 383, entitled "An act to amend chapter 440 of the Laws of 1876, entitled 'An act to amend an act entitled 'An act to incorporate the city of Cohoes,' passed May 19, 1869, and the acts amendatory of the same, passed March 4, 1872," for amendment.

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein.

Also,

Resolved (if the Assembly concur), that a respectful message be sent to the Governor, requesting the return of Senate bill No. 92, entitled "An act to change the name of, and in relation to, the Association for Befriending Children," for amendment.

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein.

Also,

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, for the return of Senate bill No. 234, entitled "An act to amend chapter 436, entitled 'An act in relation to county treasurers,'" for amendment.

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein.

Also,

Resolved, That a respectful message be sent to the Assembly, requesting the return of Assembly bill No. 295, entitled "An act allowing any town to abolish the office of railroad commissioner."

Ordered, That the Clerk return said bill to the Senate.

Mr. Youngs moved to take from the table the motion to reconsider the vote by which Senate bill entitled "An act to incorporate the Governor's Guard of the city of New York," was lost.

Mr. Speaker put the question whether the House would agree to take said motion from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 67 }
{ NOES 11 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-------------|----------------|
| Alvord | Comstock | McCarthy | Steele |
| Andrews | Davis | McTernan | Strait |
| Baker, B. F. | Dougherty | Mooers | Tallmadge |
| Beach | Douglass | Newman | Thilemann |
| Benedict, E. D. | Evans | Nowlan | Tormey |
| Bennett | Fiske | Parker | Tozier |
| Bradley | Fitzgerald | Phillips | Travis |
| Bridges | Gibbs | Potter | Treanor |
| Brodsky | Gillette | Rhodes | Tully |
| Bullock | Gorsline | Russell | Tuthill, H. H. |
| Carpenter, E. A. | Hagan | Seeley | Walsh |
| Carpenter, I. S. | Havens | Shanley | Warner |
| Catlin | Hayes | Shuit | Wells, D. A. |
| Chase | Hurd | Sipp | Wells, J. L. |
| Clark | Ingersoll | Sisson | Weston |
| Clowes | Lindsay | Skinner | Youngs |
| Cohen | McAvoy | Slingerland | |

Those who voted in the negative, were

| | | | |
|--------|---------|--------|---------|
| Curtis | Ferris | Miller | Sherman |
| Duguid | Hoffman | Potts | Varnum |
| Ellis | Husted | Root | |

Said bill, as amended, was then read a third time.

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 77 }
{ NOES 12 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|----------------|
| Alvord | Comstock | Hayes | Sheridan |
| Andrews | Cullinan | Hoffman | Shuit |
| Baker, C. S. | Curtis | Hurd | Strait |
| Beach | Cushing | Ingersoll | Tallmadge |
| Beates | Davis | Lefever | Thilemann |
| Benedict, E. D. | Deane | Liddle | Titus |
| Bennett | Dougherty | McAvoy | Tormey |
| Brennan | Douglass | McCabe | Tozier |
| Bridges | Duguid | McCarthy | Travis |
| Brodsky | Ellis | McTernan | Treanor |
| Bullock | Evans | Mooers | Tully |
| Carpenter, E. A. | Ferris | Morgan | Tuthill, H. H. |
| Carpenter, I. S. | Fish | Newman | Walsh |
| Case | Fiske | Nowlan | Waterbury |
| Catlin | Fitzgerald | O'Connor | Wells, D. A. |
| Chamberlain | Gillette | Potter | Wells, J. L. |
| Chickering | Gorsline | Rhodes | Weston |
| Childs | Gray | Seelley | Wren |
| Clark | Hagan | Shanley | Youngs |
| Clowes | | | |

Those who voted in the negative, were

| | | | |
|--------|----------|---------|---------|
| Husted | Phillips | Root | Skinner |
| Miller | Potts | Sanders | Varnum |
| Peck | Roberts | Sherman | Warner |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Douglass offered for the consideration of the House a privileged resolution in the words following:

Resolved, That the vote by which the House concurred in the resolution of the Senate, recalling Assembly bill No. 295, general orders No. 318, entitled "An act to enable any town to abolish the office of railroad commissioner, and to authorize the supervisors of such towns to discharge the duties now pertaining to said office," be reconsidered.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to adopt said resolution, and it was determined in the affirmative.

A message was received from the Senate in words following:

IN SENATE, *May* 13, 1880.

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn, and the various amendments thereof.'"

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Schroeder, and by unanimous consent, the same was amended as follows:

Strike out all after the word "follows," in section 1, and insert the following:

11. To regulate and license common carriers, carriers of passengers, criers, hawkers, peddlers, pawn-brokers, junk-dealers, public cartmen, truckmen, hackmen, cabmen, expressmen, dealers in coal, firewood, hay and straw, meat-shops, fishmongers, intelligence offices, auctioneers, undertakers, exhibitors, menageries, circuses, common shows, and dogs; real estate, steamboat, railroad, insurance and ticket agents; billiard saloons, bowling alleys and shooting galleries; also, vehicles of every description used on the streets and avenues, in the conduct and carrying on of any business established and transacted in said city. The common council shall also fix an annual license fee, not exceeding the sum of \$20, for each street or horse car run and operated in said city. Every railroad company, owner, or lessee, operating and running such cars, shall, on or before the first day of June in each year, certify to the city clerk the number of cars so run and operated, which certificate shall be verified by the oath of one of the managing officers of such company, owner, or lessee; and every such railroad company, owner, or lessee, shall, on or before the first day of July in each year, pay to the treasurer of said city the license fees so established for all cars so run and operated. Said license fees shall be taken in full satisfaction for the use of the streets and avenues of said city, but the same shall not relieve said companies, owners, or lessees from any obligation now required by law to keep such streets and avenues, or any part thereof, in repair.

And as amended passed, re-engrossed and ordered sent to the Assembly for concurrence.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 73 }
{ NOES 9 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Davis | Liddle | Shuit |
| Andrews | Deane | Low | Sipp |
| Baker, C. S. | Douglass | McCabe | Sisson |
| Beach | Duguid | McCarthy | Skinner |
| Beates | Evans | Miller | Slingerland |
| Benedict, E. D. | Ferris | Mooers | Steele |
| Bennett | Fish | Morgan | Tallmadge |
| Bradley | Fitzgerald | Nowlan | Terry |
| Bridges | Gillette | O'Connor | Tozier |
| Brodeky | Gorsline | Phillips | Travis |
| Bullock | Gray | Potter | Van Valkenburgh |
| Carpenter, E. A. | Griggs | Potts | Warner |
| Carpenter, I. S. | Hayes | Roberts | Waterbury |
| Case | Hoffman | Root | Wells, D. A. |
| Chickering | Husted | Russell | Wells, J. L. |
| Childs | Ingersoll | Sanders | Weston |
| Clark | Kennedy | Seeley | Wren |
| Comstock | Lefever | Sherman | Youngs |
| Cookinham | | | |

Those who voted in the negative, were

| | | | |
|--------|----------|----------|---------|
| Catlin | Costello | McDonald | Shanley |
| Clancy | Cushing | Rhodes | Tully |
| Cohen | | | |

Mr. Russell moved to concur in Senate amendments, amended with further amendments so as to read as follows:

11. To regulate and license common carriers, carriers of passengers, criers, hawkers, peddlers, pawn-brokers, junk-dealers, dealers in coal, firewood, hay and straw, meat-shops, fishmongers, auctioneers, undertakers, intelligence offices, exhibitions, menageries, circuses, common shows, and dogs; real estate, steamboat, railroad, insurance and ticket agents; billiard saloons, bowling alleys and shooting galleries. The common council shall also fix an annual license fee, not exceeding the sum of twenty dollars, for each street or horse car daily operated and used in said city. Every railroad company operating or using such cars shall, on or before the first day of June in each year, certify to the city clerk the number of cars daily operated and used by said company, which certificate shall be verified by the oath of one of the managing officers of said company; and every such railroad company shall, on or before the first day of July in each year, pay to the treasurer of said city the license fees so established for the number of cars so operated and used by said company. Said license fees shall be taken in full satisfaction for the use of the streets or avenues of said city; but the same shall not relieve said companies from any obligation, now required by law, to keep such streets and avenues, or any part thereof, in repair.

Section 2. Title III of the said chapter 863 is hereby amended by adding at the end of said title the following:

Section 17. Whenever, during the year 1880, it shall have been the duty of the mayor and comptroller to appoint any commissioner, assessor, member of the board of education or other city officers, and they shall have failed to agree upon one or more of the persons to be appointed, for a period of ten days after they shall first have had power

to appoint, then, and in that case, the auditor of the city of Brooklyn shall have equal power with the said mayor and comptroller in making such appointments, and the said mayor, comptroller and auditor, or a majority of them, shall agree upon and appoint such officers as shall not have been agreed upon and appointed by the mayor and comptroller; but nothing herein contained shall extend the time during which such appointments may be made.

Section 3. This act shall take effect immediately.

Mr. Shanley moved to recommit said bill to the committee on affairs of cities, with instructions to have said bill printed.

Debate arising thereon,

Mr. Russell moved the previous question.

Mr. Speaker put the question "Shall the main question now be put?" and it was determined in the affirmative.

{ AYES 78 }
{ NOES 35 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Andrews | Cookinham | Lefever | Seeley |
| Baker, C. S. | Cullinan | Liddle | Shuit |
| Beach | Curtis | Lindsay | Sipp |
| Beates | Deane | Low | Skinner |
| Bradley | Douglass | McCabe | Slingerland |
| Brennan | Duell | Miller | Steele |
| Bridges | Duguid | Mitchell | Tallmadge |
| Brodsky | Evans | Moorea | Terry |
| Bullock | Ferris | Morgan | Travis |
| Carpenter, E. A. | Fish | Nowlan | Tuthill, H. H. |
| Carpenter, I. S. | Fiske | Peck | Van Valkenburgh |
| Case | Gillette | Phillips | Varnum |
| Chamberlain | Goraine | Pitcher | Warner |
| Chase | Gray | Potter | Waterbury |
| Chickering | Griggs | Potts | Wells, D. A. |
| Childs | Hayes | Roberts | Wells, J. L. |
| Clancy | Howland | Root | Weston |
| Clowes | Hurd | Russell | Wren |
| Comstock | Husted | Sanders | Youngs |
| Congdon | Kennedy | | |

Those who voted in the negative, were

| | | | |
|-----------------|-----------|----------|-----------|
| Alvord | Davis | McAvoy | Sherman |
| Benedict, E. D. | Dougherty | McCarthy | Strait |
| Benedict, T. E. | Ellis | McDonald | Terpeny |
| Bennett | Gibbs | McTernan | Thilemann |
| Catlin | Gwinup | Mead | Torney |
| Clark | Hagan | O'Connor | Treanor |
| Cohen | Havens | Rhodes | Tully |
| Costello | Hoffman | Shanley | Walsh |
| Cushing | Ingersoll | Sheridan | |

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Shanley, and it was determined in the negative.

{ AYES 32 }
{ NOES 74 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|----------|----------|
| Benedict, E. D. | Dougherty | McDonald | Sheridan |
| Benedict, T. E. | Gibbs | McTernan | Strait |

| | | | |
|----------|----------|----------|-----------|
| Bennett | Gwinup | Mead | Terpeny |
| Catlin | Hagan | Newman | Thilemann |
| Clancy | Havens | O'Connor | Tormey |
| Cohen | Hoffman | Parker | Treanor |
| Costello | McAvoy | Rhodes | Tully |
| Cushing | McCarthy | Shanley | Walsh |

Those who voted in the negative, were

| | | | |
|------------------|-----------|-----------|----------------|
| Alvord | Comstock | Husted | Russell |
| Andrews | Congdon | Ingersoll | Seeley |
| Baker, B. F. | Cookinham | Kennedy | Sherman |
| Baker, C. S. | Cullinan | Lefever | Shuit |
| Beach | Curtis | Liddle | Sisson |
| Beates | Davis | Lindsay | Skinner |
| Bradley | Deane | McCabe | Slingerland |
| Brennan | Douglass | Mitchell | Steele |
| Bridges | Duell | Mooers | Terry |
| Brodsky | Evans | Morgan | Titus |
| Bullock | Ferris | Nowlan | Travis |
| Carpenter, E. A. | Fish | Peck | Tuthill, H. H. |
| Carpenter, I. S. | Fiske | Phillips | Waterbury |
| Case | Gillette | Pitcher | Wells, D. A. |
| Chamberlain | Gorsline | Potter | Weston |
| Chase | Griggs | Potts | Wren |
| Chickering | Hayes | Roberts | Youngs |
| Childs | Howland | Root | Mr. Speaker |
| Clowes | Hurd | | |

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Russell to amend the Senate amendments, and it was determined in the affirmative.

{ AYES 82 }
{ NOES 30 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Cookinham | Lefever | Shuit |
| Andrews | Crapser | Liddle | Sipp |
| Baker, B. F. | Cullinan | Lindsay | Sisson |
| Baker, C. S. | Davis | Low | Skinner |
| Beach | Deane | McCabe | Slingerland |
| Beates | Douglass | Miller | Steele |
| Bradley | Duell | Mitchell | Tallmadge |
| Brennan | Evans | Mooers | Terry |
| Bridges | Ferris | Morgan | Titus |
| Brodsky | Fish | Nowlan | Travis |
| Carpenter, E. A. | Fiske | Peck | Tuthill, H. H. |
| Carpenter, I. S. | Gillette | Phillips | Van Valkenburgh |
| Case | Gorsline | Pitcher | Varnum |
| Chamberlain | Griggs | Potter | Waterbury |
| Chase | Grosse | Potts | Wells, D. A. |
| Chickering | Hayes | Roberts | Wells, J. L. |
| Childs | Howland | Root | Weston |
| Clancy | Hurd | Russell | Wren |
| Clowes | Husted | Seeley | Youngs |
| Comstock | Ingersoll | Sherman | Mr. Speaker |
| Congdon | Kennedy | | |

Those who voted in the negative, were

| | | | |
|-----------------|--------|----------|-----------|
| Benedict, E. D. | Gibbs | Mead | Strait |
| Benedict, T. E. | Hagan | Newman | Terpeny |
| Bennett | Havens | O'Connor | Thilemann |

| | | | |
|-----------|----------|----------|---------|
| Catlin | Hoffman | Parker | Tormey |
| Cohen | McAvoy | Rhodes | Treanor |
| Costello | McCarthy | Shanley | Tully |
| Cushing | McDonald | Sheridan | Walsh |
| Dougherty | McTernan | | |

Mr. Clancy moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 28 }
{ NOES 83 }

Those who voted in the affirmative, were

| | | | |
|-----------------|------------|----------|-----------|
| Benedict, E. D. | Cushing | McAvoy | Rhodes |
| Benedict, T. E. | Dougherty | McCarthy | Shanley |
| Bennett | Fitzgerald | McDonald | Thilemann |
| Catlin | Gibbs | McTernan | Tormey |
| Clauoy | Gwinup | Mead | Treanor |
| Cohen | Havens | Newman | Tully |
| Costello | Hoffman | Parker | Walsh |

Those who voted in the negative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Congdon | Kennedy | Shuit |
| Andrews | Cookinham | Lefever | Sipp |
| Baker, B. F. | Crapser | Liddle | Sisson |
| Baker, C. S. | Cullinan | Lindsay | Skinner |
| Beach | Curtis | Low | Slingerland |
| Beates | Davis | McCabe | Steele |
| Bradley | Deane | Miller | Tallmadge |
| Brennan | Douglass | Mitchell | Terpeny |
| Bridges | Duell | Mooers | Terry |
| Brodsky | Evans | Morgan | Titus |
| Bullock | Ferris | Nowlan | Travis |
| Carpenter, E. A. | Fish | Peck | Tuthill, H. H. |
| Carpenter, I. S. | Fiske | Phillips | Van Valkenburgh |
| Case | Gillette | Pitcher | Varnum |
| Chamberlain | Gray | Potter | Waterbury |
| Chase | Griggs | Potts | Wells, D. A. |
| Chickering | Grosce | Roberts | Wells, J. L. |
| Childs | Hayes | Root | Weston |
| Clark | Howland | Russell | Wren |
| Clowes | Hurd | Seeley | Youngs |
| Comstock | Ingersoll | Sherman | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the amendments of the Senate, with further amendments.

Mr. Titus, from the sub-committee of the whole, presented a report from said committee ; which was laid on the table and ordered printed. (See Doc. No. 141.)

Mr. Alvord moved that the afternoon session continue until 8 o'clock P. M.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Skinner, and by unanimous consent, the bill entitled "An act establishing an experimental station," was ordered read a third time.

Said bill having been announced for a third reading,

On motion of Mr. Brennan, and by unanimous consent, said bill was amended as follows :

Section 7, line 1. after the word "of" strike out the word "eight" and insert the word "twenty;" same section, line 2, strike out the word "five" and insert the word "two;" after the word "years," same line, insert the following: "out of any moneys in the treasury not otherwise appropriated."

Section 10, strike out the words "from its passage" and insert in place thereof the word "immediately."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }
{ NOES 2 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Curtis | McCarthy | Sherman |
| Andrews | Cushing | McDonald | Shuit |
| Baker, B. F. | Deane | Mead | Sipp |
| Baker, C. S. | Douglass | Miller | Sisson |
| Beach | Duell | Mitchell | Skinner |
| Beates | Duguid | Moors | Slingerland |
| Brennan | Ellis | Morgan | Steele |
| Bridges | Evans | Nowlan | Tallmadge |
| Brodsky | Ferris | O'Connor | Terry |
| Bullock | Fish | Parker | Thilemann |
| Carpenter, E. A. | Fiske | Peck | Tozier |
| Carpenter, I. S. | Gorsline | Phillips | Travis |
| Catlin | Hayes | Potter | Tuthill, H. H. |
| Chamberlain | Hoffman | Potts | Van Valkenburgh |
| Chase | Howland | Rhodes | Varnum |
| Chickering | Hard | Roberts | Walsh |
| Childs | Ingersoll | Root | Waterbury |
| Clark | Kennedy | Russell | Wells, D. A. |
| Clowes | Lefever | Sanders | Wells, J. L. |
| Cohen | Liddle | Seeley | Weston |
| Comstock | Low | Sheridan | Youngs |
| Cullinan | McAvoy | | |

Those who voted in the negative, were

Davis Gwinup

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Tallmadge, from the special committee to which was referred Senate bill No. 406, entitled "An act in relation to unpaid taxes and assessments in the city of Brooklyn," reported in favor of the passage of the same with the following amendments:

Strike out from section 1, line 4. the words "already levied." Add at the end of section 2 the following:

"The registrar of arrears and the comptroller of said city shall cancel and discharge on the records and books in their offices all taxes and assessments which were levied and confirmed more than twenty years prior to the passage of this act upon or affecting any lands which have not been sold for the payment of such taxes or assessments."

Strike out section 5, and change section 6 to section 5.

Said bill was ordered replaced on the calendar of third reading of bills.

The Senate returned Assembly bill entitled "An act to provide for raising taxes for the use of the State upon certain corporations, joint-stock companies and associations," with a message that they have concurred in the passage of the same, with the following amendments:

Engrossed bill, section 3, line 14, strike out the words "one-half" and insert the words "one-quarter;" line 19, strike out the word "three" and insert the words "one and one-half;" line 31, strike out the words "one-half" and insert the words "one-quarter;" line 36, strike out the word "three" and insert the words "one and one-half."

Section 4. Strike out all of section after the word "year" in line 9.

Section 6, line 4, after the word "every" strike out the words "street passenger railway company or;" line 15, after the word "line" strike out the words "or street passenger railway;" line 26, strike out the words "eight-tenths" and insert the words "five-tenths," and at end of section 6 add as follows: "transacted in this State, and in arriving at the gross earnings of any express, palace car or sleeping car company, or freight line, there shall be first deducted the expenses paid to any common carrier for transportation upon such business within this State. Nothing in this section contained shall be held to apply to any street surface railroad company."

Strike out all of section 7; make section 8 section 7, and amend the same in line 1; strike out the word "is," and make the word "sections" read "section;" line 2, strike out the words "and seven."

Make section 9 section 8, and in line 4, after the word "the" insert "capital stock and," and add at end of section: "And no license fees or percentage on gross receipts, except as in this statute authorized, shall be imposed or charged against any street horse railroad company."

Make section 10 section 9, and section 11 section 10.

Mr. Varnum moved to lay the bill upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 72 }
{ NOES 7 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Congdon | Hurd | Seeley |
| Andrews | Cookinham | Husted | Sherman |
| Baker, B. F. | Curtis | Kennedy | Sipp |
| Beach | Davis | Lefever | Sisson |
| Beates | Deane | Liddle | Slingerland |
| Benedict, T. E. | Douglass | Low | Steele |
| Bradley | Evans | McCarthy | Tallmadge |
| Brennan | Ferris | Mead | Terry |
| Bridges | Fish | Miller | Titus |
| Brodsky | Fiske | Moore | Tozier |
| Bullock | Gorsline | Nowlan | Travis |
| Carpenter, I. S. | Gray | O'Connor | Treanor |
| Cass | Grosse | Parker | Tuthill, H. H. |
| Chase | Gwinup | Phillips | Wells, D. A. |

| | | | |
|----------|---------|---------|--------------|
| Childs | Hagan | Potts | Wells, J. L. |
| Clark | Hayes | Rhodes | Weston |
| Clowes | Hoffman | Root | Wren |
| Comstock | Howland | Sanders | Youngs |

Those who voted in the negative, were

| | | | |
|--------|----------|---------|-------|
| Clancy | Mitchell | Shanley | Walsh |
| McAvoy | Newman | Varnum | |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

Mr. Husted offered for the consideration of the House a privileged resolution in the words following :

Resolved (if the Senate concur), That a respectful message be sent to the Governor requesting the return of Assembly bills Nos. 107, 376, 436 and 509, entitled, respectively, "An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game;'" "An act to amend section 37, chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish, and other game, passed June 20, 1879;'" "An act to amend an act entitled 'An act for the preservation of moose, wild deer, birds, fish and other game, passed June 20, 1879;'" "An act to prevent fishing with nets in a part of the waters of Lake Ontario," for amendment and consolidation.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The hour of 2 having arrived, the House took a recess until 4 P. M.

FOUR O'CLOCK, P. M.

The House again met.

Privileges of the floor were granted to Hon. Charles Crary, former member of this House.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act for the protection of laborers and persons furnishing materials and supplies in procuring logs and timber from the woodlands and forests of this State."

"An act to authorize the city of Oswego to use or apply the proceeds, or any part thereof, of the sale of the stock of said city in the New York and Oswego Midland Railroad Company to any indebtedness against said city."

"An act to abolish the office of crier in the courts of record in the counties of Delaware and Sullivan."

"An act for the relief of Patrick Duff, administrator of the estate of Francis H. Duff."

"An act authorizing the appointment of special policemen for Long Beach in the town of Hempstead, Queens county."

"An act to legalize the official acts of Charles I. Schampain as a notary public for the county of New York."

"An act to amend chapter 482 of the Laws of 1875, entitled 'An act

to confer on boards of supervisors further powers of local legislation and administration and to regulate the compensation of supervisors.”

“An act to amend chapter 78 of the Laws of 1870, entitled ‘An act to amend an act entitled ‘An act requiring compensation for causing death by wrongful act, neglect or default, passed December 13, 1847.’”

“An act providing for the appointment of an additional number of commissioners of deeds in the city of New York.”

“An act to amend chapter 519 of the Laws of 1870, entitled ‘An act to revise the charter of the city of Buffalo.’”

“An act to amend chapter 461 of the Laws of 1869, entitled ‘An act to incorporate the Chapin Home for the Aged and Infirm in the city of New York.’”

Mr. Speaker directed the Clerk to call the roll of members to ascertain if a quorum of members was present, and the following members answered to their names :

| | | | |
|------------------|----------|-----------|----------------|
| Alvord | Crapser | Hoffman | Russell |
| Beates | Cullinan | Howland | Sanders |
| Benedict, E. D. | Curtis | Hurd | Sherman |
| Benedict, T. E. | Deane | Ingersoll | Shuit |
| Bennett | Douglass | Lefever | Sisson |
| Bradley | Duell | Liddle | Slingerland |
| Brodsky | Ellis | Low | Strait |
| Bullock | Evans | McAvoy | Tallmadge |
| Carpenter, E. A. | Ferris | McDonald | Thilemann |
| Case | Fish | McTernan | Travis |
| Catlin | Fiske | Newman | Tuthill, H. H. |
| Chickering | Gorsline | Peck | Varnum |
| Childs | Gray | Phillips | Waterbury |
| Claney | Grosse | Pitcher | Wells, J. L. |
| Cohen | Gwinup | Potts | Weston |
| Comstock | Hagan | Roberts | Mr. Speaker |
| Congdon | Havens | Root | |

67

A quorum being present.

Privileges of the floor were granted to Hon. Obed Wheeler, Hon. Stephen Patrick, and Charles Blakie.

Pursuant to the ninth joint rule, Mr. Speaker announced the order of business, third reading of bills.

Senate bill entitled “An act in relation to unpaid taxes and assessments in the city of Brooklyn,” was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 76 }
{ NOES 2 }

Those who voted in the affirmative, were

| | | | |
|-----------------|----------|----------|-------------|
| Alvord | Crapser | Howland | Sanders |
| Baker, B. F. | Cullinan | Hurd | Seeley |
| Baker, C. S. | Curtis | Kennedy | Shanley |
| Beach | Davis | Lefever | Sheridan |
| Beates | Deane | Liddle | Sherman |
| Benedict, E. D. | Douglass | Low | Shuit |
| Benedict, T. E. | Duell | McAvoy | Sisson |
| Bennett | Duguid | McCabe | Slingerland |
| Brodsky | Ellis | McDonald | Steele |

| | | | |
|------------------|------------|----------|----------------|
| Bullock | Evans | Mooers | Strait |
| Carpenter, I. S. | Ferris | Newman | Tallmadge |
| Case | Fish | Parker | Terry |
| Catlin | Fiske | Peck | Thilemann |
| Chickering | Fitzgerald | Phillips | Tormey |
| Childs | Gorsline | Pitcher | Tuthill, H. H. |
| Clowes | Gray | Potts | Varnum |
| Cohen | Grosse | Roberts | Waterbury |
| Comstock | Gwinup | Root | Wells, J. L. |
| Congdon | Hoffman | Russell | Weston |

Those who voted in the negative, were

Clancy Havens

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to incorporate the Rochester Electro-Medical Institute," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|----------------|
| Alvord | Congdon | Hurd | Root |
| Andrews | Cookinham | Ingersoll | Russell |
| Baker, B. F. | Crapser | Kennedy | Sanders |
| Baker, C. S. | Cullinan | Lefever | Seeley |
| Beach | Curtis | Liddle | Shanley |
| Beates | Cushing | Low | Sherman |
| Benedict, T. E. | Davis | McAvoy | Shuit |
| Bradley | Douglass | McCarthy | Sipp |
| Brennan | Duell | McDonald | Sisson |
| Bridges | Duguid | Miller | Slingerland |
| Brodsky | Ellis | Mitchell | Steele |
| Bullock | Evans | Mooers | Strait |
| Carpenter, E. A. | Ferris | Morgan | Tallmadge |
| Carpenter, I. S. | Fish | Newman | Terry |
| Case | Fiske | O'Connor | Titus |
| Catlin | Fitzgerald | Parker | Tozier |
| Chase | Gorsline | Peck | Travis |
| Chickering | Gray | Phillips | Tuthill, H. H. |
| Childs | Griggs | Pitcher | Warner |
| Clancy | Grosse | Potts | Waterbury |
| Clark | Gwinup | Rhodes | Wells, J. L. |
| Cohen | Hoffman | Roberts | Weston |
| Comstock | Howland | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative,

a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|----------------|
| Alvord | Cookinham | Howland | Roberts |
| Andrews | Crapser | Hurd | Root |
| Baker, B. F. | Cullinan | Ingersoll | Russell |
| Baker, C. S. | Curtis | Kennedy | Sanders |
| Beach | Davis | Lefever | Seeley |
| Beates | Deane | Liddle | Shanley |
| Benedict, E. D. | Douglass | Low | Sherman |
| Benedict, T. E. | Duell | McAvoy | Shuit |
| Bradley | Duguid | McCabe | Sipp |
| Brennan | Ellis | McCarthy | Sisson |
| Brodsky | Evans | McDonald | Slingerland |
| Bullock | Ferris | Miller | Steele |
| Carpenter, E. A. | Fish | Mooers | Tallmadge |
| Carpenter, I. S. | Fiske | Newman | Terry |
| Case | Fitzgerald | Nowlan | Titus |
| Catlin | Gibbs | O'Connor | Tozier |
| Childs | Gorsline | Parker | Travis |
| Clancy | Gray | Peck | Tuthill, H. H. |
| Clark | Griggs | Phillips | Warner |
| Clowes | Grosse | Pitcher | Waterbury |
| Cohen | Gwinup | Potts | Wells, J. L. |
| Comstock | Havens | Rhodes | Weston |
| Congdon | Hoffman | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act concerning the grounds, buildings and property of the State provided for normal schools, the custody, protection and preservation of the same, and the powers of local boards in relation thereto," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|-----------|-------------|
| Alvord | Congdon | Hoffman | Russell |
| Andrews | Cookinham | Howland | Sanders |
| Baker, B. F. | Crapser | Hurd | Seeley |
| Baker, C. S. | Cullinan | Ingersoll | Shanley |
| Beach | Curtis | Kennedy | Sheridan |
| Beates | Davis | Lefever | Sherman |
| Benedict, E. D. | Deane | Liddle | Shuit |
| Benedict, T. E. | Dougherty | Low | Sipp |
| Bennett | Douglass | McAvoy | Sisson |
| Bradley | Duell | McCabe | Slingerland |
| Brennan | Duguid | McCarthy | Steele |
| Bridges | Ellis | McDonald | Strait |
| Brodsky | Evans | Miller | Tallmadge |
| Bullock | Ferris | Mooers | Terry |

| | | | |
|------------------|------------|----------|--------------|
| Carpenter, E. A. | Fish | Nowlan | Titus |
| Carpenter, I. S. | Fiske | O'Connor | Tozier |
| Case | Fitzgerald | Parker | Travis |
| Catlin | Gibbs | Peck | Varnum |
| Chamberlain | Gorsline | Phillips | Warner |
| Chase | Gray | Potts | Waterbury |
| Clark | Grosse | Rhodes | Wells, J. L. |
| Clowes | Gwinup | Roberts | Weston |
| Cohen | Havens | Root | Wren |
| Comstock | Hayes | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act authorizing the board of trustees of the village of Danforth to issue bonds for the purpose of building a school-house in said village, pursuant to a vote of its citizens at a special election held April 10, 1880," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 99 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|----------------|
| Alvord | Cookinham | Howland | Russell |
| Andrews | Crapser | Hurd | Sanders |
| Baker, B. F. | Cullinan | Ingersoll | Seeley |
| Baker, C. S. | Curtis | Kennedy | Shanley |
| Beach | Cushing | Lefever | Sheridan |
| Beates | Davis | Liddle | Sherman |
| Benedict, E. D. | Deane | Lindsay. | Shuit |
| Benedict, T. E. | Dougherty | Low | Sipp |
| Bennett | Douglass | McAvoy | Sisson |
| Bradley | Duell | McCabe | Slingerland |
| Brennan | Duguid | McCarthy | Steele |
| Bridges | Ellis | McDonald | Strait |
| Brodsky | Evans | Mitchell | Tallmadge |
| Bullock | Ferris | Mooers | Terry |
| Carpenter, E. A. | Fish | Morgan | Titus |
| Carpenter, I. S. | Fiske | Nowlan | Tozier |
| Case | Fitzgerald | O'Connor | Travis |
| Catlin | Gibbs | Parker | Tuthill, H. H. |
| Chase | Gorsline | Peck | Varnum |
| Chickering | Gray | Phillips | Warner |
| Childs | Grosse | Pitcher | Waterbury |
| Clark | Gwinup | Potts | Wells, J. L. |
| Clowes | Havens | Rhodes | Weston |
| Comstock | Hayes | Roberts | Wren |
| Congdon | Hoffman | Root | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to authorize the payment of certain awards for damages caused by a change of grade on Prospect avenue, in the city of Brooklyn," was read a third time.

Mr. Speaker put the question whether the House would agree to the

final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 95 }
{ NOES 2 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|----------------|
| Alvord | Crapser | Howland | Russell |
| Andrews | Cullinan | Hurd | Sanders |
| Baker, B. F. | Curtis | Ingersoll | Seeley |
| Baker, C. S. | Cushing | Kennedy | Shanley |
| Beach | Davis | Lefever | Sheridan |
| Beates | Deane | Liddle | Sherman |
| Benedict, E. D. | Douglass | Lindsay | Shuit |
| Benedict, T. E. | Duell | Low | Sipp |
| Bennett | Duguid | McAvoy | Sisson |
| Bradley | Ellis | McCabe | Slingerland |
| Brennan | Evans | McCarthy | Steele |
| Bridges | Ferris | Mitchell | Strait |
| Brodsky | Fish | Mooers | Tallmadge |
| Bullock | Fiske | Newman | Terry |
| Carpenter, I. S. | Fitzgerald | Nowlan | Thilemann |
| Case | Gibbs | O'Connor | Titus |
| Catlin | Gillette | Peck | Tormey |
| Chamberlain | Gorsline | Phillips | Tozier |
| Clowes | Gray | Pitcher | Travis |
| Cohen | Grosse | Potter | Tuthill, H. H. |
| Comstock | Gwinup | Potts | Waterbury |
| Congdon | Havens | Rhodes | Wells, J. L. |
| Cookinham | Hayes | Roberts | Weston |
| Costello | Hoffman | Root | |

Those who voted in the negative, were

Carpenter, E. A. McDonald

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to provide for a further appropriation of moneys for the maintenance of the public parks of the city of Brooklyn," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }
{ NOES 5 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|-----------|----------|
| Andrews | Cookinham | Griggs | Peck |
| Baker, B. F. | Costello | Grosse | Phillips |
| Baker, C. S. | Crapser | Gwinup | Potts |
| Beach | Cullinan | Hayes | Root |
| Beates | Curtis | Hoffman | Russell |
| Benedict, T. E. | Davis | Howland | Sanders |
| Bennett | Deane | Hurd | Seeley |
| Brennan | Dougherty | Husted | Sherman |
| Brodsky | Douglass | Ingersoll | Shuit |
| Bullock | Duell | Kennedy | Sipp |

| | | | |
|------------------|------------|----------|-------------|
| Carpenter, E. A. | Duguid | Lefever | Sisson |
| Carpenter, I. S. | Ellis | Liddle | Slingerland |
| Case | Evans | Low | Strait |
| Catlin | Ferris | McAvoy | Tallmadge |
| Chamberlain | Fish | McCabe | Titus |
| Childs | Fiske | McCarthy | Tozier |
| Chickering | Fitzgerald | McDonald | Travis |
| Clancy | Gibbs | Mitchell | Varnum |
| Clowes | Gillette | Mooers | Waterbury |
| Cohen | Gorsline | Nowlan | Weston |
| Comstock | Gray | Parker | Wren |
| Congdon | | | |

Those who voted in the negative, were

| | | | |
|--------|---------|----------|-------|
| Newman | Shanley | Sheridan | Tully |
| Rhodes | | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. E. A. Carpenter moved to take from the table the motion to reconsider the vote by which the Senate bill entitled "An act to further amend chapter 908 of the Laws of 1877, entitled 'An act for the regulation of tenement and lodging houses in the cities of New York and Brooklyn, as amended by chapter 504 of the Laws of 1879,'" was lost.

Mr. Speaker put the question whether the House would agree to take said motion from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 67 }
{ NOES 13 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Curtis | Lefever | Sisson |
| Baker, B. F. | Cushing | Liddle | Slingerland |
| Baker, C. S. | Davis | Low | Terpeny |
| Beach | Deane | McAvoy | Terry |
| Bradley | Duguid | McCabe | Thilemann |
| Brennan | Evans | McCarthy | Titus |
| Brodsky | Ferris | McDonald | Tozier |
| Carpenter, E. A. | Fish | Mooers | Travis |
| Carpenter, I. S. | Fiske | O'Connor | Treanor |
| Case | Fitzgerald | Phillips | Tully |
| Chase | Gibbs | Potts | Tuthill, H. H. |
| Chickering | Gillette | Roberts | Varnum |
| Childs | Gorsline | Root | Warner |
| Clowes | Gray | Russell | Waterbury |
| Comstock | Griggs | Seeley | Wells, J. L. |
| Crapser | Ingersoll | Sherman | Weston |
| Cullinan | Kennedy | Shuit | |

Those who voted in the negative, were

| | | | |
|-----------|----------|--------|----------|
| Cohen | Havens | Newman | Shanley |
| Costello | Hoffman | Parker | Sheridan |
| Dougherty | Mitchell | Rhodes | Walsh |
| Grosse | | | |

Mr. E. A. Carpenter moved to recommit said bill to the committee on affairs of cities, with instruction to amend the same as follows:

Section 1, insert after the word "lots" the words "by a permit from the board of health," and report the same forthwith.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Varnum, from the committee on affairs of cities, reported back said bill, amended pursuant to instruction.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.!

{ AYES 68 }
{ NOES 15 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Curtis | McCarthy | Shuit |
| Andrews | Cushing | McDonald | Slingerland |
| Baker, B. F. | Davis | Mooers | Terpeny |
| Beach | Douglass | Nowlan | Terry |
| Benedict, E. D. | Evans | O'Connor | Thilemann |
| Bennett | Fitzgerald | Peck | Titus |
| Brennan | Gillette | Phillips | Tormey |
| Brodskey | Gorsline | Pitcher | Tozier |
| Bullock | Gray | Potter | Travis |
| Carpenter, E. A. | Husted | Potts | Treanor |
| Carpenter, I. S. | Ingersoll | Roberts | Tuthill, H. H. |
| Case | Kennedy | Root | Varnum |
| Chamberlain | Lefever | Russell | Waterbury |
| Chickering | Liddle | Sanders | Wells, J. L. |
| Clowes | Lindsay | Seeley | Weston |
| Comstock | Low | Sheridan | Wren |
| Crapser | McCabe | Sherman | Mr. Speaker |

Those who voted in the negative, were

| | | | |
|----------|--------|----------|---------|
| Clancy | Ferris | Hoffman | Shanley |
| Cohen | Grosse | Mitchell | Tully |
| Costello | Gwinup | Parker | Walsh |
| Deane | Havens | Rhodes | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same, with amendments.

Mr. Mitchell moved to reconsider the vote concurring in the amendments of the Senate to the Assembly bill entitled "An act to provide for raising taxes for the use of the State upon certain corporations, joint-stock companies, and associations."

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said amendments were concurred in, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }
{ NOES 2 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|-----------------|
| Alvord | Curtis | Hurd | Sheridan |
| Baker, C. S. | Cushing | Ingersoll | Sipp |
| Beach | Davis | Kennedy | Steele |
| Beates | Deane | Lefever | Strait |
| Benedict, E. D. | Douglass | Liddle | Terpeny |
| Benedict, T. E. | Duell | Low | Terry |
| Bennett | Duguid | McCabe | Titus |
| Bradley | Ellis | McCarthy | Tormey |
| Brennan | Evans | Mitchell | Tozier |
| Brodsky | Ferris | Mooers | Travis |
| Bullock | Fish | Nowlan | Tully |
| Carpenter, E. A. | Fiske | O'Connor | Tuthill, H. H. |
| Carpenter, I. S. | Fitzgerald | Peck | Van Valkenburgh |
| Case | Gibbs | Phillips | Varnum |
| Chickering | Gorsline | Pitcher | Walsh |
| Cohen | Gray | Potter | Warner |
| Congdon | Grosse | Potts | Waterbury |
| Costello | Hayes | Root | Wells, D. A. |
| Crapser | Hoffman | Russell | Wells, J. L. |
| Cullinan | Howland | Seeley | Wren |

Those who voted in the negative, were

Clancy Hagan

Mr. Steele moved to concur in said amendments, with the further amendment striking out in section 8, as renumbered, the words "license fees or percentage," and inserting in lieu thereof the word "tax."

Mr. Speaker put the question whether the House would concur in said amendments, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }
{ NOES 2 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|----------------|
| Alvord | Curtis | Hurd | Sanders |
| Andrews | Cushing | Husted | Seeley |
| Baker, B. F. | Davis | Ingersoll | Sherman |
| Baker, C. S. | Deane | Kennedy | Shuit |
| Beach | Douglass | Lefever | Sipp |
| Beates | Duell | Liddle | Sisson |
| Benedict, T. E. | Duguid | Lindsay | Slingerland |
| Bradley | Ellis | Low | Steele |
| Brennan | Evans | McCabe | Strait |
| Bridges | Ferris | McCarthy | Tallmadge |
| Brodsky | Fish | McDonald | Terry |
| Bullock | Fiske | Mitchell | Titus |
| Carpenter, E. A. | Fitzgerald | Mooers | Tozier |
| Carpenter, I. S. | Gibbs | Newman | Travis |
| Case | Gillette | Nowlan | Treanor |
| Chase | Gorsline | Parker | Tully |
| Chickering | Gray | Peck | Tuthill, H. H. |
| Childs | Griggs | Phillips | Waterbury |
| Clowes | Grosse | Pitcher | Wells, D. A. |
| Comstock | Gwinup | Potter | Wells, J. L. |

| | | | |
|----------|---------|---------|--------|
| Congdon | Hayes | Potts | Weston |
| Crapsier | Hoffman | Root | Wren |
| Cullinan | Howland | Russell | |

Those who voted in the negative, were

| | |
|-------|-------|
| Cohen | Hagan |
|-------|-------|

• *Ordered*, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments, and have made amendments thereto.

The Senate returned Assembly bill entitled "An act to amend chapter 287 of the Laws of 1879, entitled 'An act to provide for the formation of county and town co-operative insurance companies,'" with a message that they have concurred in the passage of the same, with the following amendments:

Section 2, line 5, of engrossed bill, strike out the word "number" and insert "numbers."

Section 3, line 10, after the word "building" insert "not."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 98 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|-----------------|
| Alvord | Cookinham | Hurd | Seeley |
| Andrews | Costello | Husted | Sheridan |
| Baker, B. F. | Crapsier | Ingersoll | Sherman |
| Baker, C. S. | Cullinan | Kennedy | Shuit |
| Beach | Curtis | Lefever | Sipp |
| Beates | Davis | Lindsay | Sisson |
| Benedict, E. D. | Deane | Low | Slingerland |
| Benedict, T. E. | Douglass | McAvoy | Steele |
| Bennett | Duell | McCabe | Strait |
| Bradley | Duguid | McCarthy | Tallmadge |
| Brennan | Ellis | McDonald | Terry |
| Bridges | Evans | Mooers | Thilemann |
| Brodsky | Ferris | Nowlan | Titus |
| Bullock | Fish | Parker | Tozier |
| Carpenter, E. A. | Fiske | Peck | Travis |
| Carpenter, I. S. | Fitzgerald | Phillips | Treanor |
| Case | Gibbs | Pitcher | Tully |
| Chase | Gillette | Potter | Van Valkenburgh |
| Chickering | Gorsline | Potts | Warner |
| Childs | Gray | Rhodes | Waterbury |
| Clark | Grosse | Roberts | Wells, D. A. |
| Clowes | Gwinup | Root | Wells, J. L. |
| Cohen | Hayes | Russell | Weston |
| Comstock | Hoffman | Sanders | Wren |
| Congdon | Howland | | |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act to amend chapter 106 of the Laws of 1880, entitled 'An act to repeal chapter 515 of the Laws of 1879, entitled 'An act to amend chapter 625 of the Laws of 1875, entitled 'An act in relation to courts of record in the city and county of New York, and to re-enact chapter 625 of the Laws of

1875," with a message that they have concurred in the passage of the same, with the following amendments:

Amend the title by striking out the word "revive," in the 16th line of engrossed bill, and insert "re-enact."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 76 }
{ NOES 3 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|--------------|
| Alvord | Comstock | Griggs | Potts |
| Andrews | Congdon | Gwinup | Roberts |
| Baker, B. F. | Cookinham | Hoffman | Sanders |
| Baker, C. S. | Costello | Howland | Seeley |
| Beach | Crapser | Hurd | Sheridan |
| Beates | Cullinan | Husted | Sherman |
| Bradley | Curtis | Ingersoll | Shuit |
| Brennan | Davis | Kennedy | Sipp |
| Bridges | Douglass | Lefever | Slingerland |
| Brodsky | Duell | Liddle | Steele |
| Bullock | Duguid | Lindsay | Terry |
| Carpenter, E. A. | Ellis | Low | Titus |
| Carpenter, I. S. | Evans | McAvoy | Tozier |
| Case | Ferris | Nowlan | Travis |
| Chase | Fish | Parker | Waterbury |
| Chickering | Fiske | Peck | Wells, D. A. |
| Childs | Gillette | Phillips | Weston |
| Clark | Gorsline | Pitcher | Wren |
| Clowes | Gray | Potter | Youngs |

Those who voted in the negative, were

| | | |
|---------|--------|-------|
| Cushing | Rhodes | Walsh |
|---------|--------|-------|

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act for the relief of Bridget Gray, of the city of Albany, widow of Samuel Gray, late of the city of Albany, county of Albany, and State of New York," with a message that they have concurred in the passage of the same, with the following amendments:

Section 1, lines 9 and 10, engrossed bill, strike out "and vested in."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 103 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|----------|-----------|----------|
| Alvord | Costello | Husted | Sanders |
| Andrews | Crapser | Ingersoll | Seeley |
| Baker, B. F. | Cullinan | Kennedy | Sheridan |
| Baker, C. S. | Curtis | Lefever | Sherman |
| Beach | Cushing | Liddle | Shuit |
| Beates | Davis | Lindsay | Sipp |
| Benedict, E. D. | Deane | Low | Sisson |

| | | | |
|------------------|------------|----------|----------------|
| Benedict, T. E. | Dougherty | McAvoy | Slingerland |
| Bennett | Douglass | McCabe | Steele |
| Bradley | Duell | McCarthy | Strait |
| Brennan | Duguid | McDonald | Tallmadge |
| Bridges | Ellis | Mitchell | Terry |
| Brodsky | Evans | Moers | Thilemann |
| Bullock | Ferris | Newman | Titus |
| Carpenter, E. A. | Fish | Nowlan | Tozier |
| Carpenter, I. S. | Fiske | O'Connor | Travis |
| Case | Fitzgerald | Parker | Treanor |
| Chamberlain | Gillette | Peck | Tully |
| Chase | Gorsline | Phillips | Tuthill, H. H. |
| Chickering | Gray | Pitcher | Warner |
| Childs | Grigga | Potter | Waterbury |
| Clark | Gwinup | Potts | Wells, D. A. |
| Clowes | Hayes | Rhodes | Wells, J. L. |
| Comstock | Hoffman | Roberts | Weston |
| Congdon | Howland | Root | Wren |
| Cookinham | Hurd | Russell | |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

A message from the Senate was received in the words following :

IN SENATE, May 13, 1880.

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act further to amend chapter 446 of the Laws of 1874, entitled 'An act to revise and consolidate the statutes of the State relating to the care and custody of the insane, the management of the asylums for their treatment and safe-keeping, and the duties of the State Commissioner in Lunacy.'"

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. Birdsall, and by unanimous consent, the same was amended as follows :

Section 7, line 2, engrossed bill, after the word "title" insert the following : "as amended by chapter 574 of the Laws of 1875."

And as amended passed, and ordered sent to the Assembly for concurrence.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|-----------|-------------|
| Alvord | Cookinham | Hurd | Sanders |
| Andrews | Crapser | Husted | Seeley |
| Baker, B. F. | Cullinan | Ingersoll | Sheridan |
| Baker, C. S. | Curtis | Kennedy | Sherman |
| Beach | Cushing | Lefever | Shuit |
| Beates | Davis | Liddle | Sipp |
| Benedict, T. E. | Deane | Low | Sisson |
| Bennett | Dougherty | McDonald | Slingerland |
| Bradley | Douglass | Mitchell | Steele |
| Brennan | Duell | Moers | Strait |
| Bridges | Duguid | Newman | Tallmadge |

| | | | |
|------------------|----------|----------|----------------|
| Brodsky | Ellis | Nowlan | Terry |
| Bullock | Evans | O'Connor | Thilemann |
| Carpenter, E. A. | Ferris | Parker | Titus |
| Carpenter, I. S. | Fish | Peck | Tozier |
| Case | Fiske | Phillips | Travis |
| Catlin | Gillette | Pitcher | Tully |
| Chase | Gorsline | Potter | Tuthill, H. H. |
| Chickering | Gray | Potts | Waterbury |
| Childs | Griggs | Rhodes | Wells, D. A. |
| Clark | Gwinup | Roberts | Wells, J. L. |
| Clowes | Hayes | Root | Weston |
| Comstock | Hoffman | Russell | Wren |
| Congdon | Howland | | |

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|----------------|
| Alvord | Congdon | Hayes | Rhodes |
| Andrews | Cookinham | Hoffman | Roberts |
| Baker, B. F. | Costello | Howland | Root |
| Baker, C. S. | Crapser | Hurd | Russell |
| Beach | Cullinan | Husted | Seeley |
| Beates | Curtis | Ingersoll | Sherman |
| Benedict, E. D. | Cushing | Kennedy | Shuit |
| Benedict, T. E. | Davis | Lefever | Sipp |
| Bennett | Deane | Liddle | Sisson |
| Bradley | Dougherty | Low | Slingerland |
| Brennan | Douglass | McCarthy | Steele |
| Bridges | Duell | McDonald | Tallmadge |
| Brodsky | Ferris | Mitchell | Terpeny |
| Bullock | Fish | Mooers | Terry |
| Carpenter, E. A. | Fiske | Newman | Titus |
| Carpenter, I. S. | Fitzgerald | Nowlan | Tozier |
| Catlin | Gibbs | O'Connor | Travis |
| Chase | Gillette | Parker | Tully |
| Chickering | Gorsline | Peck | Tuthill, H. H. |
| Childs | Gray | Phillips | Waterbury |
| Clark | Griggs | Pitcher | Wells, D. A. |
| Clowes | Grosse | Potter | Weston |
| Comstock | Gwinup | Potts | Wren |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

A message from the Senate was received in the words following :

IN SENATE, May 13, 1880.

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to amend chapter 264 of the Laws of 1851, entitled 'An act to amend the act entitled 'An act to incorporate the village of Bath in the county of Steuben.'"

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Davenport, and by unanimous consent, the same was amended as follows :

Section 2, line 1, after the word "act" insert "as amended by chapter 81 of the Law of 1852, entitled 'An act to amend the act entitled 'An act to incorporate the village of Bath in the county of Steuben, passed June 25, 1851, is hereby further.'"

Amend section 3 by striking out the word "act," line 1, and inserting "chapter 264 of the Laws of 1871."

Amend title by adding at the end thereof the following: "and chapter 81 of the Laws of 1852, and repealing chapter 246 of the Laws of 1867, and section 2 of chapter 291 of the Laws of 1860, and section 2 of chapter 102 of the Laws of 1875, and chapter 390 of the Laws of 1878."

And as amended passed, and ordered sent to the Assembly for concurrence.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|-----------------|
| Alvord | Crapsier | Ingersoll | Sheridan |
| Andrews | Cullinan | Kennedy | Sherman |
| Baker, B. F. | Curtis | Lefever | Shuit |
| Baker, C. S. | Cushing | Liddle | Sipp |
| Beach | Davis | Low | Sisson |
| Beates | Deane | McAvo | Slingerland |
| Bennett | Dougherty | McCarthy | Steele |
| Bradley | Douglass | McDonald | Tallmadge |
| Brennan | Duell | Mitchell | Terpeny |
| Bridges | Duguid | Mooers | Terry |
| Brodsky | Fish | Nowlan | Thilemann |
| Bullock | Fiske | O'Connor | Titus |
| Carpenter, E. A. | Fitzgerald | Phillips | Tozier |
| Carpenter, I. S. | Gibbs | Pitcher | Travis |
| Case | Gillette | Potter | Tully |
| Chickering | Gorsline | Potts | Tuthill, H. H. |
| Childs | Gray | Rhodes | Van Valkenburgh |
| Clark | Gwinup | Roberts | Varnum |
| Clowes | Hayes | Root | Waterbury |
| Cohen | Hoffman | Russell | Wells, D. A. |
| Congdon | Howland | Sanders | Wells, J. L. |
| Cookinham | Hurd | Seeley | Weston |
| Costello | Husted | Shanley | Wren |

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 96 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|--------------|----------|-----------|----------|
| Alvord | Crapsier | Howland | Sheridan |
| Andrews | Cullinan | Hurd | Sherman |
| Baker, B. F. | Curtis | Husted | Shuit |
| Baker, C. S. | Cushing | Ingersoll | Sipp |

| | | | |
|------------------|------------|----------|----------------|
| Beach | Davis | Kennedy | Sisson |
| Beates | Deane | Lefever | Slingerland |
| Bennett | Dougherty | Liddle | Steele |
| Bradley | Douglass | Low | Strait |
| Brennan | Duell | McAvoy | Tallmadge |
| Bridges | Duguid | Mitchell | Terpeny |
| Brodsky | Ellis | Mooers | Terry |
| Bullock | Evans | Newman | Thilemann |
| Carpenter, E. A. | Ferris | Nowlan | Titus |
| Carpenter, I. S. | Fish | O'Connor | Tozier |
| Case | Fitzgerald | Peck | Travis |
| Catlin | Gibbs | Phillips | Tully |
| Chickering | Gillette | Potter | Tuthill, H. H. |
| Childs | Gorsline | Potts | Varnum |
| Clark | Gray | Rhodes | Warner |
| Clowes | Griggs | Roberts | Waterbury |
| Cohen | Gwinup | Root | Wells, D. A. |
| Congdon | Havens | Russell | Wells, J. L. |
| Cookinham | Hayes | Sanders | Weston |
| Costello | Hoffman | Seeley | Wren |

Ordered, That the Clerk return said bill to the Senate with a message informing of concurrence in their amendments.

A message was received from the Governor in the words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }
ALBANY, May 19, 1880. }

To the Assembly:

Pursuant to a joint resolution of the Senate and Assembly, Assembly bill No. 593, entitled "An act to confirm the official acts of George M. Briggs, Charles Forbes and George W. Brimmer, commissioners of excise in and for the town of Broadalbin, in the county of Fulton, and to enable them to execute a bond to the supervisor thereof," is herewith returned for amendment.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|-------------|
| Alvord | Crapser | Ingersoll | Shanley |
| Andrews | Cullinan | Kennedy | Sheridan |
| Baker, B. F. | Curtis | Lefever | Sherman |
| Baker, C. S. | Cushing | Low | Shuit |
| Beach | Davis | McAvoy | Sipp |
| Beates | Deane | McDonald | Sisson |
| Benedict, E. D. | Dougherty | Mitchell | Slingerland |
| Benedict, T. E. | Douglass | Mooers | Steele |
| Bennett | Duell | Newman | Strait |
| Bradley | Duguid | Nowlan | Tallmadge |
| Brennan | Evans | O'Connor | Terpeny |
| Bridges | Fish | Parker | Terry |
| Brodsky | Gibbs | Peck | Thilemann |
| Bullock | Gillette | Phillips | Titus |
| Carpenter, E. A. | Gorsline | Pitcher | Tozier |

| | | | |
|------------------|---------|---------|----------------|
| Carpenter, I. S. | Gray | Potter | Travis |
| Case | Griggs | Potts | Treanor |
| Chickering | Grosse | Rhodes | Tully |
| Childs | Hagan | Roberts | Tuthill, H. H. |
| Clark | Hayes | Root | Waterbury |
| Clowes | Hoffman | Russell | Wells, D. A. |
| Cohen | Howland | Sanders | Wells, J. L. |
| Congdon | Hurd | Seeley | Weston |
| Cookinham | Husted | | |

On motion of Mr. D. A. Wells, and by unanimous consent, said bill was amended in words following :

Strike out all of section 2, make section 3 read section 2.

Amend the title by striking out all after the word "Fulton."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|----------------|
| Alvord | Curtis | Ingersoll | Seeley |
| Andrews | Cushing | Kennedy | Sherman |
| Baker, B. F. | Davis | Lefever | Shuit |
| Baker, C. S. | Deane | McAvoy | Sipp |
| Beach | Dougherty | McCabe | Sisson |
| Beates | Douglass | McCarthy | Slingerland |
| Benedict, E. D. | Duell | McDonald | Steele |
| Bennett | Duguid | Mitchell | Strait |
| Bradley | Evans | Mooers | Tallmadge |
| Bridges | Ferris | Newman | Terry |
| Brodsky | Fish | Nowlan | Thilemann |
| Bullock | Fitzgerald | O'Connor | Titus |
| Carpenter, E. A. | Gibbs | Parker | Tozier |
| Carpenter, I. S. | Gillette | Peck | Travis |
| Case | Gorsline | Phillips | Tully |
| Catlin | Gray | Pitcher | Tuthill, H. H. |
| Chickering | Griggs | Potter | Walsh |
| Childs | Grosse | Potts | Warner |
| Clark | Hayes | Rhodes | Waterbury |
| Clowes | Hoffman | Roberts | Wells, D. A. |
| Congdon | Howland | Root | Wells, J. L. |
| Cookinham | Hurd | Russell | Weston |
| Crapser | Husted | Sanders | Wren |
| Cullinan | | | |

Ordered. That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

By unanimous consent,

Mr. Gray offered for the consideration of the House a resolution in the words following :

Resolved, That all orders of business be laid on the table for the purpose of considering in committee of the whole Senate bill No. 325, entitled "An act to regulate the dimensions and measurement of apple barrels."

Mr. Speaker put the question whether the House would agree to said

resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof

{ AYES 63 }
{ NOES 22 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Cushing | Morgan | Tallmadge |
| Andrews | Davis | Newman | Terpeny |
| Baker, B. F. | Deane | Nowlan | Terry |
| Benedict, E. D. | Douglass | O'Connor | Thilemann |
| Benedict, T. E. | Ellis | Parker | Tormey |
| Brennan | Fish | Peck | Tully |
| Brodsky | Fitzgerald | Pitcher | Tuthill, H. H. |
| Carpenter, E. A. | Gibbs | Rhodes | Van Valkenburgh |
| Catlin | Gorsline | Roberts | Varnum |
| Chickering | Gray | Russell | Walsh |
| Clancy | Grosse | Sanders | Waterbury |
| Clark | Lindsay | Shanley | Wells, D. A. |
| Clowes | McAvoy | Sheridan | Wells, J. L. |
| Crapser | McCarthy | Shuit | Weston |
| Cullinan | McDonald | Sipp | Wren |
| Curtis | Mitchell | Steele | |

Those who voted in the negative, were

| | | | |
|------------------|----------|----------|---------|
| Beach | Childs | Hoffman | Root |
| Bradley | Congdon | Kennedy | Sherman |
| Bridges | Ferris | Low | Sisson |
| Bullock | Gillette | Phillips | Tozier |
| Carpenter, I. S. | Gwinup | Potts | Travis |
| Case | Havens | | |

The House then resolved itself into a committee of the whole on the bill entitled as follows :

Senate, "An act to regulate the dimensions and measurement of apple barrels."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Brodsky, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Cookinham moved to discharge the committee of the whole from the further consideration of said bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, a majority of all the members present voting in favor thereof.

{ AYES 60 }
{ NOES 35 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Andrews | Deane | McDonald | Sipp |
| Baker, C. S. | Douglass | McTernan | Tallmadge |
| Benedict, E. D. | Ellis | Miller | Terpeny |
| Benedict, T. E. | Fiske | Mitchell | Thilemann |
| Bennett | Fitzgerald | Morgan | Tormey |
| Brennan | Gibbs | Newman | Tully |
| Brodsky | Gorsline | Nowlan | Tuthill, H. H. |
| Carpenter, E. A. | Gray | O'Connor | Van Valkenburgh |
| Catlin | Grosse | Peck | Varnum |
| Chickering | Hagan | Pitcher | Walsh |
| Clancy | Hayes | Rhodes | Waterbury |

| | | | |
|-----------|----------|---------|--------------|
| Clowes | Howland | Russell | Wells, J. L. |
| Cookinham | Lindsay | Sanders | Weston |
| Crapser | McAvoy | Shanley | Wren |
| Cullinan | McCarthy | Shuit | Youngs |

Those who voted in the negative, were

| | | | |
|------------------|----------|----------|-------------|
| Alvord | Congdon | Gwinup | Potts |
| Baker, B. F. | Curtis | Havens | Roberts |
| Beach | Cushing | Hoffman | Root |
| Bradley | Davis | Hurd | Sherman |
| Bridges | Duguid | Kennedy | Sisson |
| Bullock | Ferris | Lefever | Slingerland |
| Carpenter, I. S. | Fish | Low | Tozier |
| Case | Gillette | Parker | Travis |
| Clark | Griggs | Phillips | |

A message was received from the Governor, in words following :

STATE OF NEW YORK, EXECUTIVE CHAMBER, }
ALBANY, May 19, 1880. }

To the Assembly :

Pursuant to a joint resolution of the Senate and Assembly, Assembly bill No. 358, entitled "An act to amend chapter 486 of the Laws of 1855, entitled 'An act to amend the charter of the village of Horseheads, in Chemung county, and the several acts amendatory thereof, and to supplement new sections,'" is herewith returned for amendment.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|--------------|
| Alvord | Davis | Liddle | Sanders |
| Andrews | Deane | Lindsay | Seeley |
| Baker, B. F. | Dougherty | McAvoy | Shanley |
| Baker, C. S. | Douglass | McCabe | Sheridan |
| Beach | Duguid | McCarthy | Sherman |
| Benedict, E. D. | Ferris | McDonald | Shuit |
| Bennett | Fish | Miller | Sipp |
| Bridges | Fiske | Mitchell | Slingerland |
| Brodsaky | Gorsline | Mooers | Steele |
| Bullock | Gray | Morgan | Tallmadge |
| Carpenter, E. A. | Grosse | Newman | Terpeny |
| Carpenter, I. S. | Hagan | Nowlan | Titus |
| Catlin | Havens | Peck | Tozier |
| Chamberlain | Hayes | Phillips | Travis |
| Chickering | Hoffman | Pitcher | Tully |
| Childs | Howland | Potter | Waterbury |
| Clancy | Hurd | Potts | Wells, D. A. |
| Cookinham | Husted | Rhodes | Wells, J. L. |
| Crapser | Ingersoll | Roberts | Weston |
| Cullinan | Kennedy | Root | Wren |
| Curtis | Lefever | Russell | Youngs |
| Cushing | | | |

On motion of Mr. Hoffman, and by unanimous consent, said bill was amended in words following:

Section 1, line 6, after the words "sixty-six" insert "and;" same line, after the words "sixty-seven," strike out "and sixty-eight."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|--------------|
| Alvord | Cookinham | Kennedy | Russell |
| Andrews | Curtis | Lefever | Sanders |
| Baker, B. F. | Davis | Liddle | Shanley |
| Baker, C. S. | Deane | Lindsay | Sheridan |
| Beach | Dougherty | Low | Sherman |
| Benedict, T. E. | Douglass | McAvoy | Shult |
| Bennett | Duguid | McCabe | Sipp |
| Bradley | Evans | McCarthy | Sisson |
| Bridges | Ferris | McDonald | Steele |
| Brodsky | Fish | Miller | Tallmadge |
| Bullock | Fitzgerald | Mitchell | Terpeny |
| Carpenter, E. A. | Gibbs | Mooers | Titus |
| Carpenter, I. S. | Gorsline | Morgan | Tozier |
| Case | Gray | Nowlan | Travis |
| Catlin | Gwinup | Parker | Tully |
| Chickering | Hagan | Peck | Varnum |
| Childs | Hayes | Phillips | Waterbury |
| Clancy | Hoffman | Pitcher | Wells, D. A. |
| Clark | Howland | Potter | Wells, J. L. |
| Clowes | Hurd | Potts | Weston |
| Comstock | Husted | Rhodes | Wren |
| Congdon | Ingersoll | Roberts | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A message was received from the Governor in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }
ALBANY, May 19, 1880. }

To the Assembly:

In accordance with a joint resolution of the Senate and Assembly, Assembly bill No. 144, entitled "An act to amend section 2 of chapter 405 of the Laws of 1879, entitled 'An act to amend sections 2 and 10 of chapter 248 of the Laws of 1878, entitled 'An act in relation to the election of officers in certain school districts,'" is herewith returned for amendment.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Curtis | Lefever | Russell |
| Andrews | Davis | Liddle | Sanders |
| Baker, B. F. | Deane | Lindsay | Shanley |
| Baker, C. S. | Dougherty | Low | Sheridan |
| Beach | Douglass | McAvoy | Shuit |
| Benedict, T. E. | Duguid | McCabe | Sipp |
| Bradley | Evans | McDonald | Sisson |
| Bridges | Ferris | Miller | Slingerland |
| Brodsky | Fish | Mitchell | Steele |
| Bullock | Fiske | Mooers | Tallmadge |
| Carpenter, E. A. | Gillette | Nowlan | Terry |
| Carpenter, I. S. | Gorsline | O'Connor | Titus |
| Case | Gray | Parker | Tozier |
| Chase | Griggs | Peck | Travis |
| Chickering | Gwinup | Phillips | Tully |
| Childs | Havens | Pitcher | Tuthill, H. H. |
| Clancy | Hayes | Potter | Waterbury |
| Clark | Hoffman | Potts | Wells, D. A. |
| Clowes | Howland | Rhodes | Wells, J. L. |
| Congdon | Hurd | Roberts | Weston |
| Cookinham | Husted | Root | Youngs |
| Cullinan | Kennedy | | |

On motion of Mr. Evans, and by unanimous consent, said bill was amended in words following:

Line 15, section 10, at end of section, add "nor to union school district No. 2, in the town of Waterloo, in the county of Seneca."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|----------------|
| Alvord | Crapser | Husted | Russell |
| Andrews | Cullinan | Ingersoll | Sanders |
| Baker, B. F. | Curtis | Kennedy | Seeley |
| Baker, C. S. | Davis | Lefever | Shanley |
| Beach | Deane | Liddle | Sheridan |
| Beates | Dougherty | Lindsay | Sherman |
| Benedict, E. D. | Douglass | Low | Shuit |
| Benedict, T. E. | Duell | McAvoy | Sipp |
| Bennett | Duguid | McCarthy | Sisson |
| Bradley | Ellis | McDonald | Slingerland |
| Bridges | Evans | Miller | Steele |
| Brodsky | Ferris | Mitchell | Strait |
| Bullock | Fish | Nowlan | Tallmadge |
| Carpenter, E. A. | Fiske | O'Connor | Titus |
| Carpenter, I. S. | Gillette | Parker | Tozier |
| Catlin | Gorsline | Peck | Travis |
| Chase | Gray | Phillips | Tully |
| Chickering | Griggs | Pitcher | Tuthill, H. H. |
| Childs | Gwinup | Potter | Waterbury |

Clark
Clowes
Congdon
Cookinham

Hayes
Hoffman
Howland
Hurd

Potts
Rhodes
Roberts
Root

Wells, D. A.
Wells, J. L.
Weston

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A message was received from the Governor in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }
ALBANY, May 19, 1880. }

To the Assembly :

Pursuant to a joint resolution of the Senate and Assembly, Assembly bill No. 179, entitled "An act to amend section 236 of the Code of Civil Procedure," is herewith returned for amendment."

ALONZO B. CORNELL,

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Curtis | Lefever | Root |
| Andrews | Cushing | Liddle | Russell |
| Baker, B. F. | Davis | Lindsay | Sanders |
| Baker, O. S. | Deane | Low | Shanley |
| Beach | Dougherty | McAvoy | Sherman |
| Benedict, E. D. | Douglass | McCabe | Shuit |
| Benedict, T. E. | Duguid | McCarthy | Sipp |
| Bradley | Fish | McDonald | Sisson |
| Bridges | Fiske | Miller | Slingerland |
| Brodsky | Fitzgerald | Mitchell | Steele |
| Bullock | Gibbs | Mooers | Tallmadge |
| Carpenter, E. A. | Goraline | Morgan | Terpeny |
| Carpenter, I. S. | Gray | Newman | Titus |
| Case | Griggs | Nowlan | Tozier |
| Catlin | Gwinup | Parker | Travis |
| Chickering | Hayes | Peck | Tully |
| Childs | Hoffman | Phillips | Tuthill, H. H. |
| Clancy | Howland | Pitcher | Waterbury |
| Clark | Hurd | Potter | Wells, D. A. |
| Clowes | Husted | Potts | Wells, J. L. |
| Congdon | Ingersoll | Rhodes | Wren |
| Cookinham | Kennedy | Roberts | Youngs |
| Cullinan | | | |

On motion of Mr. Mitchell, and by unanimous consent, said bill was amended in words following :

Subdivision 236, line 17, engrossed bill, after the word "court," strike out the words "in the branch to which he is assigned."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Curtis | Lefever | Root |
| Andrews | Davis | Liddle | Russell |
| Baker, B. F. | Deane | Lindsay | Seeley |
| Baker, C. S. | Dougherty | Low | Shanley |
| Beach | Douglass | McAvoy | Sheridan |
| Beates | Duguid | McCabe | Shuit |
| Benedict, E. D. | Ellis | McCarthy | Sipp |
| Bradley | Evans | McDonald | Sisson |
| Bridges | Ferris | Miller | Slingerland |
| Brodsky | Fish | Mitchell | Steele |
| Bullock | Fiske | Mooers | Tallmadge |
| Carpenter, E. A. | Gibbs | Newman | Terpeny |
| Carpenter, I. S. | Gorsline | Nowlan | Tozier |
| Case | Gray | O'Connor | Travis |
| Catlin | Griggs | Parker | Tully |
| Chase | Hagan | Peck | Tuthill, H. H. |
| Chickering | Hayes | Phillips | Waterbury |
| Clancy | Hoffman | Pitcher | Wells, D. A. |
| Clark | Howland | Potter | Wells, J. L. |
| Clowes | Hurd | Potts | Weston |
| Congdon | Husted | Rhodes | Wren |
| Cookinham | Ingersell | Roberts | Youngs |
| Cullinan | Kennedy | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A message was received from the Governor, in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }
ALBANY, May 18, 1880. }

To the Assembly:

Pursuant to a joint resolution of the Senate and Assembly, Assembly bill No. 153, entitled "An act to declare Independence river and its tributaries, in Lewis and Herkimer counties, a public highway," is herewith returned for amendment.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|----------|-------------|
| Alvord | Cookinham | Lefever | Sanders |
| Andrews | Cullinan | Liddle | Seeley |
| Baker, B. F. | Curtis | Lindsay | Shanley |
| Baker, C. S. | Davis | McAvoy | Sherman |
| Beach | Deane | McCabe | Shuit |
| Beates | Dougherty | McCarthy | Sipp |
| Benedict, E. D. | Douglass | McDonald | Sisson |
| Bradley | Duguid | Miller | Slingerland |
| Bridges | Ellis | Mitchell | Steele |
| Brodsky | Ferris | Mooers | Tallmadge |
| Bullock | Fish | Nowlan | Terpeny |

| | | | |
|------------------|----------|----------|----------------|
| Carpenter, E. A. | Fiske | Parker | Tozier |
| Carpenter, I. S. | Gibbs | Peck | Travis |
| Case | Gorsline | Phillips | Tuthill, H. H. |
| Catlin | Gray | Pitcher | Waterbury |
| Chickering | Hayes | Potter | Wells, D. A. |
| Childs | Hoffman | Potts | Wells, J. L. |
| Clancy | Howland | Rhodes | Weston |
| Clark | Hurd | Roberts | Wren |
| Clowes | Husted | Root | Youngs |
| Congdon | Kennedy | Russell | |

On motion of Mr. Chickering, and by unanimous consent, said bill was amended in words following:

Section 1, line 3, strike out the word "highway" and insert the word "stream."

Section 8, line 5, strike out the word "reserve" and insert the word "serve."

Amend the title as follows: After the word "public" strike out the word "highway" and insert "stream."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|--------------|
| Alvord | Congdon | Ingersoll | Roberts |
| Andrews | Cookinham | Lefever | Root |
| Baker, B. F. | Cullinan | Liddle | Russell |
| Baker, C. S. | Davis | Lindsay | Sanders |
| Beach | Deane | Low | Sherman |
| Beates | Douglass | McAvoy | Shuit |
| Benedict, E. D. | Duguid | McCabe | Sipp |
| Bradley | Evans | McDonald | Slingerland |
| Bridges | Ferris | Miller | Steele |
| Brodsky | Fish | Mitchell | Tallmadge |
| Bullock | Fiske | Mooers | Terpeny |
| Carpenter, E. A. | Gibbs | Newman | Tozier |
| Carpenter, I. S. | Gorsline | Nowlan | Travis |
| Case | Gray | Parker | Tully |
| Catlin | Griggs | Peck | Waterbury |
| Chamberlain | Hayes | Phillips | Wells, D. A. |
| Chickering | Hoffman | Pitcher | Wells, J. L. |
| Clancy | Howland | Potter | Weston |
| Clark | Hurd | Potts | Wren |
| Clowes | Husted | Rhodes | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A message was received from the Governor in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }
ALBANY, May 18, 1880. }

To the Assembly:

Pursuant to a joint resolution of the Senate and Assembly, Assembly bill No. 28, entitled "An act in relation to the partition of lands

held by husband and wife as joint tenants, tenants in common, or as tenants by entireties," is herewith returned for amendment.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Curtis | Lefever | Root |
| Andrews | Davis | Liddle | Russell |
| Baker, C. S. | Deane | Lindsay | Seeley |
| Beach | Douglass | McAvoy | Shanley |
| Beates | Duguid | McCabe | Sherman |
| Benedict, E. D. | Ellis | McCarthy | Sipp |
| Bradley | Evans | McDonald | Sisson |
| Bridges | Ferris | Miller | Slingerland |
| Brodsky | Fish | Mitchell | Steele |
| Bullock | Fiske | Morgan | Tallmadge |
| Carpenter, E. A. | Gibbs | Newman | Terpeny |
| Carpenter, I. S. | Gorsline | Nowlan | Tozier |
| Case | Gray | Parker | Travis |
| Catlin | Havens | Peck | Tuthill, H. H. |
| Chickering | Hayes | Phillips | Waterbury |
| Childs | Hoffman | Pitcher | Wells, D. A. |
| Clark | Howland | Potter | Wells, J. L. |
| Clowes | Hurd | Potts | Weston |
| Congdon | Husted | Rhodes | Wren |
| Cookinham | Ingersoll | Roberts | Youngs |

On motion of Mr. C. S. Baker, and by unanimous consent, said bill was amended in words following:

Section 1, line 3, strike out the words "or relinquish," and all of line 4 and down to and including the word "tenements" in line 5; in line 5 insert the word "or" between the words "partition" and "division," and strike out the word or "relinquishment;" in line 7 strike out the words "or relinquishment" and insert the word "or" between the words "partition" and "division;" in line 9 strike out the words "or relinquished," and insert the word "or" before the word "divided" in line 9.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 76 }
{ NOES 2 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|----------|-------------|
| Alvord | Cookinham | Liddle | Sanders |
| Andrews | Curtis | Lindsay | Sheridan |
| Baker, C. S. | Davis | McAvoy | Sherman |
| Beach | Deane | McCabe | Sipp |
| Beates | Douglass | McCarthy | Slingerland |
| Benedict, E. D. | Duell | McDonald | Steele |

| | | | |
|------------------|-----------|----------|-----------------|
| Bradley | Ferris | Mitchell | Tallmadge |
| Bridges | Fish | Moors | Titus |
| Brodsky | Fiske | Newman | Tozier |
| Bullock | Gibbs | Nowlan | Travis |
| Carpenter, E. A. | Gorsline | Parker | Tully |
| Carpenter, I. S. | Griggs | Peck | Tuthill, H. H. |
| Case | Gwinup | Phillips | Van Valkenburgh |
| Catlin | Hayes | Pitcher | Waterbury |
| Chamberlain | Howland | Potter | Wells, D. A. |
| Chickering | Hurd | Rhodes | Wells, J. L. |
| Childs | Husted | Roberts | Weston |
| Clark | Ingersoll | Root | Wren |
| Clowes | Lefever | Russell | Youngs |

Those who voted in the negative, were

Ellis Potts

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A message was received from the Governor in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }
ALBANY, *May 13, 1880.* }

To the Assembly:

In accordance with a joint resolution of the Senate and Assembly, Assembly bill No. 496, entitled "An act to incorporate Alert Hose Company No. 3, of Medina, New York," is herewith returned for amendment.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|----------|----------------|
| Alvord | Clowes | Lindsay | Russell |
| Andrews | Congdon | McAvoy | Seeley |
| Baker, C. S. | Davis | McCabe | Sheridan |
| Beach | Deane | McCarthy | Sherman |
| Beates | Douglass | McDonald | Shuit |
| Benedict, E. D. | Duguid | Miller | Sipp |
| Bennett | Ferris | Mitchell | Slingerland |
| Bradley | Fish | Morgan | Tallmadge |
| Bridges | Fiske | Newman | Terpeny |
| Brodsky | Gibbs | Nowlan | Tozier |
| Bullock | Gorsline | Parker | Travis |
| Carpenter, E. A. | Gray | Peck | Tully |
| Carpenter, I. S. | Griggs | Phillips | Tuthill, H. H. |
| Case | Havens | Pitcher | Waterbury |
| Catlin | Hayes | Potter | Wells, D. A. |
| Chase | Howland | Potts | Wells, J. L. |
| Chickering | Hurd | Rhodes | Weston |
| Childs | Husted | Roberts | Wren |
| Clancy | Lefever | Root | Youngs |
| Clark | Liddle | | |

On motion of Mr. Phillips, and by unanimous consent, said bill was amended in words following:

Add at end of section 1: "The members of said company shall be members of the fire department of the village of Medina, and said company shall be subject to the rules and regulations now or hereafter established by said fire department."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|----------|-----------------|
| Alvord | Davis | Lindsay | Sealey |
| Andrews | Deane | Low | Sheridan |
| Baker, C. S. | Douglass | McAvoy | Sherman |
| Beach | Duell | McCabe | Shuit |
| Beates | Ellis | McDonald | Sipp |
| Benedict, E. D. | Evans | McTernan | Sisson |
| Bennett | Ferris | Miller | Slingerland |
| Bradley | Fish | Mitchell | Steele |
| Bridges | Fiske | Morgan | Tallmadge |
| Brodsky | Gorsline | Newman | Terpeny |
| Bullock | Gray | Nowlan | Tozier |
| Carpenter, E. A. | Griggs | Parker | Travis |
| Carpenter, I. S. | Hagan | Peck | Tuthill, H. H. |
| Case | Havens | Phillips | Van Valkenburgh |
| Catlin | Hayes | Pitcher | Waterbury |
| Chamberlain | Howland | Potter | Wells, D. A. |
| Chickering | Hurd | Potts | Wells, J. L. |
| Clark | Husted | Rhodes | Weston |
| Clowes | Kennedy | Roberts | Wren |
| Congdon | Lefever | Root | Youngs |
| Cookinham | Liddle | Russell | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

By unanimous consent,

Mr. Tozier, from the committee on general laws, to which was referred the Senate bill (introductory No. 463), entitled "An act to incorporate the National Guard Mutual Relief Association of the State New York," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Husted, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Tozier, from the committee on general laws, to which was referred the Senate bill (introductory No. 689), entitled "An act to enlarge the powers of the Waterville Opera House Company (limited)," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Douglass, and by unanimous consent, said bill was ordered to a third reading.

Mr. Griggs moved to reconsider the vote by which the Senate amendments to Assembly bill entitled "An act to amend chapter 431 of the Laws of 1875, entitled 'An act to amend the Revised Statutes in relation to laying out public roads, and the alteration thereof,'" was agreed to.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill entitled "An act to amend chapter 231 of the Laws of 1872, entitled 'An act to provide for supplying the village of Peekskill with water and authorizing the issue of bonds therefor, and to create a board of water commissioners,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Cookinham | Lefever | Russell |
| Andrews | Davis | Liddle | Seeley |
| Baker, C. S. | Deane | Lindsay | Sheridan |
| Beach | Dougherty | McAvoy | Shuit |
| Beates | Douglass | McCabe | Sipp |
| Benedict, E. D. | Duguid | McCarthy | Sisson |
| Benedict, T. E. | Ellis | McDonald | Slingerland |
| Bennett | Evans | Miller | Steele |
| Bradley | Ferris | Mitchell | Tallmadge |
| Bridges | Fish | Morgan | Terpeny |
| Brodsky | Fiske | Newman | Titus |
| Bullock | Gorsline | Nowlan | Tozier |
| Carpenter, E. A. | Gray | Parker | Travis |
| Carpenter, I. S. | Gwinup | Peck | Tuthill, H. H. |
| Oase | Havens | Phillips | Waterbury |
| Oatlin | Hayes | Pitcher | Wells, D. A. |
| Chamberlain | Hoffman | Potter | Wells, J. L. |
| Chickering | Howland | Potts | Weston |
| Clark | Hurd | Rhodes | Wren |
| Clowes | Husted | Roberts | Youngs |
| Congdon | Kennedy | Root | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence the following resolution :

Resolved (if the Assembly concur), That a respectful message be sent to the Governor for the return of Senate bill No. 389, entitled "An act establishing the compensation of the county clerks of Richmond and Franklin, in lieu of charges for all services rendered," for amendment.

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein.

By unanimous consent,

Mr. Pitcher introduced a bill entitled "An act to transfer the duties of the bonding commissioners of the city of Poughkeepsie, appointed by an order of the county court of the county of Dutchess, on the 30th day of July, 1870, to the common council of the city of Poughkeepsie," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Pitcher, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 97 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Deane | Liddle | Sheridan |
| Andrews | Dougherty | Low | Sherman |
| Baker, B. F. | Douglass | McAvoy | Shuit |
| Baker, C. S. | Duell | McCabe | Sipp |
| Beach | Duguid | McCarthy | Sisson |
| Beates | Ellis | McDonald | Slingerland |
| Benedict, E. D. | Evans | Miller | Steele |
| Bennett | Ferris | Mitchell | Strait |
| Bradley | Fish | Mooers | Tallmadge |
| Brennan | Fiske | Morgan | Terpeny |
| Bridges | Gibbs | Newman | Terry |
| Brodsky | Gillette | Nowlan | Thilemann |
| Bullock | Gorsline | O'Connor | Titus |
| Carpenter, E. A. | Gray | Peck | Tozier |
| Carpenter, I. S. | Griggs | Phillips | Travis |
| Chickering | Gwinup | Pitcher | Tuthill, H. H. |
| Childs | Hayes | Potter | Van Valkenburgh |
| Clark | Hoffman | Potts | Varnum |
| Clowes | Howland | Rhodes | Warner |
| Congdon | Hurd | Roberts | Waterbury |
| Cookinham | Husted | Root | Wells, D. A. |
| Crapser | Ingersoll | Russell | Wells, J. L. |
| Cullinan | Kennedy | Sanders | Weston |
| Cushing | Lefever | Shanley | Wren |
| Davis | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Alvord in the chair.

Mr. Sharpe offered for the consideration of the House a privileged resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return of Assembly bill No. 673, entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,' for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Sanders, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Potter (introductory No. 1211), entitled "An act in relation to the village of Saratoga Springs," reported in favor of the passage of the same with amendments.

On motion of Mr. Potter, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|-----------------|
| Alvord | Cushing | Ingersoll | Sanders |
| Andrews | Davis | Kennedy | Seeley |
| Baker, B. F. | Deane | Lefever | Shanley |
| Baker, C. S. | Dougherty | Low | Sheridan |
| Beach | Douglass | McAvoy | Sherman |
| Beates | Duell | McCabe | Shuit |
| Benedict, T. E. | Duguid | McCarthy | Sipp |
| Bennett | Ellis | McDonald | Sisson |
| Bradley | Evans | Miller | Slingerland |
| Brennan | Ferris | Mitchell | Steele |
| Bridges | Fish | Mooers | Strait |
| Brodsky | Fiske | Morgan | Tallmadge |
| Bullock | Gibbs | Newman | Terpeny |
| Carpenter, E. A. | Gillette | Nowlan | Terry |
| Carpenter, I. S. | Gorsaline | O'Connor | Tozier |
| Chickering | Gray | Parker | Travis |
| Clark | Griggs | Peck | Tuthill, H. H. |
| Clowes | Gwinup | Potter | Van Valkenburgh |
| Congdon | Hayes | Potts | Waterbury |
| Cookinham | Hoffman | Rhodes | Wells, D. A. |
| Costello | Howland | Roberts | Wells, J. L. |
| Crapsier | Hurd | Root | Weston |
| Cullinan | Husted | Russell | Wren |
| Curtis | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Howland offered for the consideration of the House a resolution in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of Senate bill No. 204, general orders No. 731, entitled "An act to incorporate the Syracuse Electric Light Company," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Weston, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Low (introductory No. 1204), entitled "An act to amend chapter 373, Laws of 1876, entitled 'An act to provide for the formation of road districts in certain cases within the corporate jurisdiction of plank and turnpike roads companies, and for the maintenance and improvements of roads therein,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Weston, from the committee on roads and bridges, to which was referred the Senate bill (introductory No. 335), entitled "An act in relation to plank roads and turnpike companies," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Senate bill entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of increasing the water supply to its inhabitants," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES' 89 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|--------------|
| Alvord | Cullinan | Hurd | Roberts |
| Andrews | Curtis | Husted | Root |
| Baker, B. F. | Davis | Ingersoll | Russell |
| Baker, C. S. | Deane | Kennedy | Seeley |
| Beach | Dougherty | Lefever | Sheridan |
| Beates | Douglass | Liddle | Sherman |
| Benedict, E. D. | Duell | Lindsay | Shuit |
| Benedict, T. E. | Duguid | Low | Sipp |
| Bennett | Evans | McAvoy | Sisson |
| Bradley | Ferris | McGabe | Slingerland |
| Brennan | Fish | McCarthy | Steele |
| Bridges | Fiske | McDonald | Strait |
| Brodsky | Fitzgerald | Miller | Tallmadge |
| Bullock | Gibbs | Mitchell | Terpeny |
| Carpenter, E. A. | Gillette | Morgan | Terry |
| Carpenter, I. S. | Gorsline | Newman | Titus |
| Case | Gray | Nowlan | Tozier |
| Chickering | Griggs | O'Connor | Travis |
| Clark | Gwinup | Peck | Waterbury |
| Clowes | Hayes | Potter | Wells, J. L. |
| Congdon | Hoffman | Potts | Weston |
| Cookinham | Howland | Rhodes | Wren |
| Crapser | | | |

Ordered. That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Gillette offered for the consideration of the House a resolution in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of Senate bill No. 182, general orders No. 734, "Providing that the superintendent of the poor, of Columbia county, may be the keeper of the county house," and the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The bill entitled "An act to further amend chapter 448 of the Laws of 1876, entitled 'An act relating to courts, officers of justice, and civil proceedings.'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|---------|----------|-----------|---------|
| Alvord | Cullinan | Ingersoll | Russell |
| Andrews | Curtis | Kennedy | Seeley |

| | | | |
|------------------|------------|----------|-----------------|
| Baker, B. F. | Cushing | Lefever | Sheridan |
| Baker, C. S. | Davis | Liddle | Sherman |
| Beach | Deane | Lindsay | Shuit |
| Beates | Dougherty | Low | Sipp |
| Benedict, E. D. | Douglass | McAvoy | Sisson |
| Bennett | Duell | McCabe | Slingerland |
| Bradley | Duguid | McCarthy | Steele |
| Brennan | Ellis | McDonald | Strait |
| Bridges | Evans | Miller | • Tallmadge |
| Brodsky | Ferris | Morgan | Terpeny |
| Bullock | Fish | Newman | Terry |
| Carpenter, E. A. | Fitzgerald | Nowlan | Titus |
| Carpenter, I. S. | Gibbs | O'Connor | Tozier |
| Catlin | Gillette | Peck | Travis |
| Chickering | Gorsline | Phillips | Van Valkenburgh |
| Childs | Gray | Pitcher | Walsh |
| Clark | Gwinup | Potter | Waterbury |
| Clowes | Hayes | Potts | Wells, D. A. |
| Congdon | Hoffman | Rhodes | Wells, J. L. |
| Cookinham | Howland | Roberts | Weston |
| Craeper | Hurd | Root | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Dougherty offered for the consideration of the House a resolution in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of Assembly bill No. 478, general orders No. 533, entitled "An act to authorize and require the Secretary of State to collect and report labor statistics," and that the same be ordered engrossed and to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Senate bill entitled "An act to improve Jackson avenue in Long Island City," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 2 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|-----------------|
| Alvord | Costello | Hurd | Seeley |
| Andrews | Craeper | Ingersoll | Sherman |
| Baker, B. F. | Oullinan | Kennedy | Shuit |
| Baker, C. S. | Curtis | Lefever | Sipp |
| Beach | Davis | Lindsay | Sisson |
| Beates | Deane | Low | Slingerland |
| Benedict, E. D. | Dougherty | McAvoy | Steele |
| Bennett | Douglass | Miller | Strait |
| Bradley | Duell | Mitchell | Tallmadge |
| Brennan | Duguid | Morgan | Terpeny |
| Bridges | Evans | Newman | Titus |
| Brodsky | Ferris | Nowlan | Tozier |
| Bullock | Fish | Peck | Travis |
| Carpenter, E. A. | Fiske | Pitcher | Tuthill, H. H. |
| Carpenter, I. S. | Fitzgerald | Potter | Van Valkenburgh |

| | | | |
|------------|----------|---------|--------------|
| Catlin | Gibbs | Potts | Waterbury |
| Chickering | Gillette | Rhodes | Wells, D. A. |
| Clark | Gorsline | Roberts | Wells, J. L. |
| Clowes | Gray | Root | Weston |
| Congdon | Hayes | Russell | Yongs |
| Cookinham | | | |

Those who voted in the negative, were

Gwinup Havens

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend chapter 27 of the Laws of 1876, entitled 'An act to further amend chapter 681 of the Laws of 1873, entitled 'An act to establish communication between Richmond county and New Jersey, incorporating the Tubular Transit Company of Staten Island,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|-----------------|
| Alvord | Crapser | Husted | Sanders |
| Andrews | Cullinan | Ingersoll | Seeley |
| Baker, B. F. | Curtis | Kennedy | Sheridan |
| Baker, C. S. | Davis | Lefever | Sherman |
| Beach | Deane | Low | Shuit |
| Beates | Dougherty | McAvoy | Sipp |
| Benedict, E. D. | Douglass | McCabe | Sisson |
| Bennett | Duguid | McCarthy | Slingerland |
| Bradley | Evans | McDonald | Steele |
| Brennan | Ferris | Miller | Strait |
| Bridges | Fish | Mitchell | Tallmadge |
| Brodaky | Fiske | Morgan | Terpeny |
| Bullock | Fitzgerald | Newman | Terry |
| Carpenter, E. A. | Gibbs | Nowlan | Titus |
| Carpenter, I. S. | Gillette | O'Connor | Tozier |
| Case | Gorsline | Peck | Treanor |
| Catlin | Gray | Potter | Van Valkenburgh |
| Chickering | Grosse | Potts | Waterbury |
| Clark | Hagan | Rhodes | Wells, D. A. |
| Clowes | Hayes | Roberts | Wells, J. L. |
| Congdon | Howland | Root | Weston |
| Cookinham | Hurd | Russell | Yongs |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to legalize the action of the town meeting of the town of DeKalb, in the county of St. Lawrence, held February 10, 1880, and the action of the board of town auditors of said town of DeKalb, held February 19, 1880, in issuing a certificate of indebtedness of said town to Andrew Wight, for damages sustained by the falling of a bridge in said town, pursuant to a resolution passed at said town meeting," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a

majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 97 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Cushing | Lefever | Sheridan |
| Andrews | Davis | Liddle | Sherman |
| Baker, B. F. | Deane | Lindsay | Shuit |
| Baker, C. S. | Dougherty | Low | Sipp |
| Beach | Douglass | McAvo | Sisson |
| Beates | Duell | McCabe | Slingerland |
| Benedict, E. D. | Duguid | McCarthy | Steele |
| Bennett | Ellis | McDonald | Strait |
| Bradley | Evans | Miller | Tallmadge |
| Brennan | Ferris | Mitchell | Terpeny |
| Bridges | Fish | Moors | Terry |
| Brodsky | Fiske | Morgan | Thilemann |
| Bullock | Fitzgerald | Newman | Titus |
| Carpenter, E. A. | Gibbs | Nowlan | Tozier |
| Carpenter, I. S. | Gillette | O'Connor | Travis |
| Case | Gorsline | Peck | Treanor |
| Catlin | Gray | Pitcher | Van Valkenburgh |
| Chickering | Gwinup | Potter | Varnum |
| Clark | Hagan | Potts | Warner |
| Clowes | Hayes | Rhodes | Waterbury |
| Congdon | Hoffman | Roberts | Wells, D. A. |
| Cookinham | Howland | Root | Wells, J. L. |
| Crapser | Ingersoll | Russell | Weston |
| Cullinan | Kennedy | Seeley | Youngs |
| Curtis | | | |

Those who voted in the negative, were

Grosse

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Terry offered for the consideration of the House a resolution in the words following :

Resolved, That the committee of the whole be discharged from the further consideration of Senate bill No. 336, entitled "Concurrent resolution proposing an amendment to article 6 of the Constitution," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Rhodes offered for the consideration of the House a resolution in the words following :

Resolved, That the committee of the whole be discharged from the further consideration of Assembly bill No. 778, general orders No. 958, entitled "An act to repeal chapter 416 of the Laws of 1876, entitled 'An act to amend chapter 440 of the Laws of 1873, entitled 'An act requiring commissioners of highways to act as inspectors of plank-roads and turnpikes, passed May 25, 1876, and for other purposes,'" and that the same be ordered engrossed and to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Mitchell moved to discharge the committee of the whole from the further consideration of Assembly bill entitled "An act relating to certain local improvements and assessments in the city of New York," and that the same be ordered engrossed and to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Sherman offered for the consideration of the House a resolution in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of Senate bill No. 370, entitled "An act to amend section 24 of article 1 of title 1 of chapter 15 of part 1 of the Revised Statutes, relating to the organization and powers of the Board of Regents," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Senate bill entitled "An act in relation to the grading of sidewalks and the laying of flagwalks in front of certain lots on Fourth avenue in the late village of West Mount Vernon, now a part of the village of Mount Vernon, in the county of Westchester," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|--------------|
| Alvord | Deane | Low | Sherman |
| Andrews | Dougherty | McAvoy | Shuit |
| Baker, B. F. | Douglass | McCabe | Sipp |
| Baker, C. S. | Duell | McCarthy | Sisson |
| Beach | Duguid | McDonald | Slingerland |
| Beates | Ellis | Miller | Steele |
| Benedict, E. D. | Evans | Mitchell | Strait |
| Bradley | Ferris | Morgan | Tallmadge |
| Brennan | Fish | Newman | Terpeny |
| Bridges | Fiske | Nowlan | Terry |
| Brodsky | Fitzgerald | O'Connor | Thilemann |
| Bullock | Gibbs | Parker | Titus |
| Carpenter, E. A. | Gillette | Peck | Tormey |
| Carpenter, I. S. | Gorsline | Pitcher | Tozier |
| Case | Gray | Potter | Travis |
| Catlin | Grosse | Potts | Tully |
| Clark | Gwinup | Rhodes | Varnum |
| Clowes | Hayes | Roberts | Waterbury |
| Congdon | Hoffman | Root | Wells, D. A. |
| Cookinham | Howland | Russell | Wells, J. L. |
| Crapser | Husted | Sanders | Weston |
| Cullinan | Ingersoll | Shanley | Wren |
| Curtis | Kennedy | Sheridan | Youngs |
| Davis | Lefever | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Parker offered for the consideration of the House a resolution in the words following:

Resolved, That the sub-committee of the whole be discharged from the further consideration of Senate bill No. 219, entitled "An act authorizing boards of town auditors to audit certain judgments against commissioners of highways as town charges, and providing for the payment thereof," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Senate bill entitled "An act to amend chapter 217 of the Laws of 1865, entitled 'An act to establish the office of receiver of taxes and assessments in the town of East Chester, in the county of Westchester, New York,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|-----------------|
| Alvord | Davis | Ingersoll | Root |
| Andrews | Deane | Kennedy | Russell |
| Baker, B. F. | Dougherty | Lefever | Sanders |
| Baker, C. S. | Douglass | Lindsay | Seeley |
| Beach | Duell | Low | Shanley |
| Beates | Duguid | McAvoy | Sheridan |
| Bennett | Ellis | McCabe | Sherman |
| Bradley | Evans | McCarthy | Shuit |
| Brennan | Ferris | McDonald | Sipp |
| Bridges | Fish | Miller | Sisson |
| Brodsky | Fiske | Mitchell | Slingerland |
| Bullock | Fitzgerald | Morgan | Steele |
| Carpenter, E. A. | Gibbs | Newman | Strait |
| Carpenter, I. S. | Gillette | Nowlan | Tallmadge |
| Catlin | Goreline | O'Connor | Terpeny |
| Clark | Gray | Parker | Terry |
| Clowes | Grosse | Peck | Tozier |
| Congdon | Gwinup | Phillips | Van Valkenburgh |
| Cookinham | Hayes | Pitcher | Warner |
| Crapser | Hoffman | Potter | Waterbury |
| Cullinan | Howland | Potts | Wells, J. L. |
| Curtis | Hurd | Rhodes | Weston |
| Cushing | Husted | Roberts | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the following bills:

"An act to amend chapter 231 of the Laws of 1872, entitled 'An act to provide for supplying the village of Peekskill with water and authorizing the issue of bonds therefor, and to create a board of water commissioners.'"

"An act to amend chapter 18 of the Laws of 1862, entitled 'An act to revise the charter of the city of Utica, as amended by chapter 371 of the Laws of 1876, entitled 'An act to amend chapter 18 of the Laws of 1862, entitled 'An act to revise the charter of the city of Utica.'"

"An act to exempt the county of Sullivan from so much of the pro-

visions of chapter 20 of part 1 of title 1 of the Revised Statutes, as provides for the appointment of poor-house keepers."

A message from the Senate was received and read, informing of concurrence in the following bills:

"An act to authorize the trustees of the village of Greene, Chenango county, to sell certain real estate, owned and used by said village for the purpose of the fire department of such village, and to purchase a new site and building for that purpose by the consent of a majority of the electors of said village."

"An act to amend chapter 36 of the Laws of 1873, entitled 'An act to provide for a supply of water in the city of Yonkers.'"

"An act to provide a public park for the city of Elmira and for the care of the same."

"An act in relation to the keeping open of the offices of the register, county clerk and county treasurer of the county of Westchester."

"An act to amend chapter 184 of the Laws of 1839, entitled 'An act in relation to trusts for the benefit of the meetings of the religious Society of Friends.'"

"An act to amend chapter 461 of the Laws of 1867, entitled 'An act for the support and relief of the poor and for the government of the poor department in the county of Erie, passed April 19, 1867.'"

"An act to amend chapter 77 of the Laws of 1846, entitled 'An act to provide for the erection and establishment of a work-house in the county of Erie.'"

"An act to regulate the use of intoxicating liquors in poor-houses, juvenile reformatories, protectories, houses of refuge, jails, penitentiaries and prisons."

"An act supplemental to chapter 194 of the Laws of 1849, entitled 'An act to vest in the board of supervisors certain legislative powers, and to prescribe their fees for certain services, and to repeal chapter 597 of the Laws of 1870, amendatory of said act.'"

"An act entitled 'An act providing for the verification of pleadings in the justices' court.'"

"An act to legalize and confirm the official acts of William J. Robb, a justice of the peace of the town of Perth, in the county of Fulton, New York."

"An act to amend chapter 163 of the Laws of 1873, entitled 'An act to organize and establish a police for the city of Yonkers.'"

"An act to incorporate the National Guard Mutual Relief Association of the State of New York."

"An act to incorporate the National Tent of the National Order of Rechabites."

"An act to amend chapter 441 of the Laws of 1864, entitled 'An act in relation to the performance of highway labor in Queens county.'"

"An act to permit the admission of persons not paupers into the asylums of this State."

"An act to consolidate, amend and revise the charter of the village of Sing Sing, in the county of Westchester."

"An act to vest certain powers in the Kingston board of education, and to facilitate the collection of taxes in the Kingston school district."

"An act to release and grant the interest of the people of the State of New York in certain real estate in the city of Brooklyn, in the county of Kings, and State of New York, to Mary Ryan."

"An act to further amend section 2 of chapter 139 of the Laws of 1870, as amended by chapter 402 of the Laws of 1877, entitled 'An act to annex parts of the towns of Bethlehem and Watervliet, in the county of Albany, to the city of Albany, and to exempt such parts thereof from certain taxes, and to annex a part of the city of Albany to the town of Watervliet.'"

"An act to provide for the settlement of the boundary lines between the State of New York and the States of Pennsylvania and New Jersey, respectively."

"An act to amend chapter 30 of the Laws of 1880, entitled 'An act to amend chapter 598 of the Laws of 1870, entitled 'An act to amend an act to incorporate the city of Troy, passed April 12, 1816, and the several acts amendatory thereof, and also to amend other acts relating to the city of Troy, and supplemental thereto.'"

"An act to validate the certificate of incorporation, and to legalize the acts of the Walton Water Company."

"An act to revise and consolidate the general acts relating to the relief and support of indigent persons."

"An act to amend an act entitled 'An act to incorporate the New York State Convention of Universalists, passed April 12, 1862, for the purpose of organizing a Missionary Board, and defining its powers and duties.'"

"An act to authorize the incorporation of the Red House Driving Park Agricultural Society among the Indians of the Allegany and Cattaraugus reservations."

"An act in relation to the county treasurers in the counties of Monroe and Seneca."

"An act to establish a local court of civil jurisdiction in the city of Buffalo, to be called the municipal court of Buffalo, and to amend the charter of said city."

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Childs presented a petition of citizens of the village of Cortland asking for the repeal of the law creating a union free school district in that village; which was read and referred to the committee on public education.

The Senate returned the bill entitled "An act to amend chapter 491 of the Laws of 1871, entitled 'An act to provide for the relief and support of the poor of the county of Kings, and to change the name of the office of the superintendents of the poor therein to the office of the commissioners of charities of the county of Kings,'" with a message that they do non-concur in the passage of the same.

The Senate returned the "Concurrent resolution for the printing of the Thirty-second Annual Report of the State Museum of Natural History," with a message that they had passed the same with the following amendment:

Strike out "Thirty-second Annual Report" and insert "Thirty-third Annual Report."

A message from the Senate was received and read informing of concurrence in the resolutions recalling from the Governor the following bills for amendment:

Assembly bill No. 593, entitled "An act to confirm the official acts of George M. Briggs and other commissioners of excise in the town of Broadalbin."

Assembly bill No. 635, entitled "An act to enable the electors of the town of Mayfield to vote by districts for town officers."

Assembly bill No. 358, entitled "An act to amend the charter of the village of Horseheads."

Assembly bill No. 144, entitled "An act to amend section 2 of chapter 405 of the Laws of 1879, entitled 'An act to amend sections 2 and 10 of chapter 248 of the Laws of 1878, entitled 'An act in relation to the election of officers in certain school districts.'"

Assembly bill No. 179, entitled "An act to amend section 236 of the Code of Procedure."

On motion of Mr. Weston, and at seven o'clock and fifty-five minutes, the House adjourned.

THURSDAY MORNING, MAY 20, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Meredith.

The journal of yesterday was read and approved.

Privileges of the floor were granted to Hon. John R. Kennedy and Hon. Joseph P. McDonough, former members of this House.

By unanimous consent,

Mr. Fiske offered for the consideration of the House a resolution in the words following :

Resolved, That the committee of the whole be discharged from the further consideration of Senate bill No. 371, general orders 1042, entitled "An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,' " and that the same do now have its third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|------------|----------|----------------|
| Alvord | Curtis | Lefever | Sherman |
| Baker, C. S. | Cushing | Liddle | Shuit |
| Beach | Davis | Lindsay | Sipp |
| Beates | Deane | Low | Sisson |
| Benedict, T. E. | Dougherty | McAvoy | Slingerland |
| Bennett | Douglass | McCarthy | Steele |
| Bradley | Duell | Mead | Tallmadge |
| Brennan | Evans | Miller | Terpeny |
| Bridges | Ferris | Mooers | Thilemann |
| Brodsky | Fish | Newman | Titus |
| Bullock | Fiske | Nowlan | Tozier |
| Case | Fitzgerald | O'Brien | Travis |
| Catlin | Gorsline | Parker | Treanor |
| Chamberlain | Griggs | Phillips | Tuthill, H. H. |
| Clowes | Gwinup | Potts | Waterbury |

| | | | |
|-----------|-----------|----------|--------------|
| Cohen | Hagan | Rhodes | Wells, D. A. |
| Congdon | Havens | Roberts | Wells, J. L. |
| Cookinham | Hoffman | Root | Weston |
| Costello | Hurd | Russell | Wren |
| Crapser | Ingersoll | Sheridan | Youngs |
| Cullinan | Kennedy | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to exempt the county of Sullivan from so much of the provisions of chapter 20 of part 1 of title 1 of the Revised Statutes, as provides for the appointment of poor-house keepers," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|------------|----------|----------------|
| Alvord | Curtis | Lindsay | Russell |
| Baker, C. S. | Cushing | Low | Sheridan |
| Beach | Davis | McAvoy | Sherman |
| Beates | Deane | McCabe | Shuit |
| Benedict, T. E. | Douglass | McDonald | Sipp |
| Bennett | Duell | McTernan | Sisson |
| Bradley | Evans | Mead | Tallmadge |
| Brennan | Ferris | Miller | Terpeny |
| Bridges | Fish | Mooers | Titus |
| Brodskey | Fiske | Morgan | Tozier |
| Bullock | Fitzgerald | Newman | Travis |
| Catlin | Gibbs | Nowlan | Treanor |
| Chamberlain | Griggs | O'Brien | Tuthill, H. H. |
| Chase | Gwinup | Parker | Warner |
| Chickering | Havens | Peck | Waterbury |
| Clowes | Hoffman | Phillips | Wells, D. A. |
| Cohen | Hurd | Potts | Wells, J. L. |
| Congdon | Ingersoll | Rhodes | Weston |
| Cookinham | Lefever | Roberts | Wren |
| Costello | Liddle | Root | Youngs |
| Crapser | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act in relation to street railroads," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|--------------|---------|---------|----------|
| Alvord | Cushing | Liddle | Sheridan |
| Baker, C. S. | Davis | Lindsay | Sherman |
| Beach | Deane | Low | Shuit |

| | | | |
|------------------|------------|----------|----------------|
| Beates | Dougherty | McAvoy | Sipp |
| Benedict, T. E. | Douglass | McCabe | Sisson |
| Bennett | Duell | Mead | Tallmadge |
| Bradley | Evans | Moore | Thilemann |
| Brennan | Ferris | Morgan | Titus |
| Bridges | Fish | Newman | Tozier |
| Brodsky | Fiske | Nowlan | Travis |
| Bullock | Fitzgerald | O'Brien | Treanor |
| Carpenter, I. S. | Gibbs | Parker | Tuthill, H. H. |
| Catlin | Gray | Phillips | Warner |
| Chamberlain | Griggs | Pitcher | Waterbury |
| Chickering | Gwinup | Potter | Wells, D. A. |
| Clowes | Havens | Potts | Wells, J. L. |
| Congdon | Hoffman | Rhodes | Weston |
| Cookinham | Howland | Roberts | Wren |
| Costello | Hurd | Root | Youngs |
| Crapser | Lefever | Russell | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act for the relief of the Five Points House of Industry in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Grapser | Liddle | Sheridan |
| Baker, C. S. | Cushing | Lindsay | Sherman |
| Beach | Davis | Low | Shuit |
| Beates | Deane | McAvoy | Sipp |
| Benedict, T. E. | Dougherty | McCabe | Sisson |
| Bennett | Douglass | Mead | Tallmadge |
| Bradley | Duell | Miller | Thilemann |
| Brennan | Evans | Moore | Titus |
| Bridges | Ferris | Morgan | Torney |
| Brodsky | Fish | Newman | Tozier |
| Carpenter, I. S. | Fiske | Nowlan | Travis |
| Catlin | Fitzgerald | O'Brien | Treanor |
| Chamberlain | Gibbs | Parker | Tuthill, H. H. |
| Chickering | Gray | Phillips | Warner |
| Childs | Griggs | Pitcher | Waterbury |
| Clowes | Havens | Potter | Wells, D. A. |
| Cohen | Hayes | Potts | Wells, J. L. |
| Congdon | Howland | Rhodes | Weston |
| Cookinham | Hurd | Roberts | Wren |
| Costello | Lefever | Root | Youngs |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act for the relief of Patrick Burns," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a

majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths of said members being present.

{ AYES 55 }
{ NOES 32 }

Those who voted in the affirmative, were

| | | | |
|-------------|------------|----------|----------------|
| Alvord | Cushing | Mead | Shuit |
| Beates | Deane | Newman | Sisson |
| Bridges | Ferris | Nowlan | Slingerland |
| Brodakey | Fitzgerald | O'Brien | Tallmadge |
| Bullock | Gray | O'Connor | Torney |
| Case | Gwinup | Parker | Tozier |
| Catlin | Hagan | Phillips | Travis |
| Chamberlain | Hayes | Pitcher | Tully |
| Childs | Howland | Rhodes | Tuthill, H. H. |
| Clancy | Liddle | Roberts | Warner |
| Clowes | Lindsay | Russell | Wells, D. A. |
| Congdon | Low | Sanders | Wells, J. L. |
| Costello | McCabe | Shanley | Wren |
| Cullinan | McTernan | Sherman | |

Those who voted in the negative, were

| | | | |
|------------------|-----------|----------|-----------|
| Baker, C. S. | Cohen | Fish | Root |
| Beach | Cookinham | Havens | Seeley |
| Benedict, T. E. | Crapeer | Hoffman | Sipp |
| Bradley | Davis | Miller | Strait |
| Brennan | Dougherty | Mitchell | Titus |
| Carpenter, E. A. | Douglass | Mooers | Treanor |
| Carpenter, I. S. | Ellis | Morgan | Varnum |
| Chickering | Evans | Potts | Waterbury |

Mr. Travis moved to reconsider the vote by which said bill was lost, and that the motion do lay upon the table.

Mr. Speaker put the question whether the House would agree to lay said motion to reconsider on the table, and it was determined in the affirmative.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was recommitted Assembly bill No. 90, entitled "An act to protect Central Park, in the city of New York, and the streets bordering the same from encroachment by elevated railroads," reported back said bill, with the recommendation that the Assembly do not concur in the Senate amendments, and that a committee of conference be appointed thereon.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

By unanimous consent,

Mr. Warner, from the committee on trade and manufactures, to which was referred the bill introduced by Mr. Cohen (introductory No. 1195), entitled "An act to amend chapter 194 of the Laws of 1874, entitled 'An act to prevent extortion by gas companies in the counties of New York and Kings,'" reported the same for the consideration of the House.

Senate bill entitled "An act to enable the First Baptist Church of Auburn to convey certain real estate," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|----------|----------------|
| Alvord | Cullinan | Lefever | Sanders |
| Baker, O. S. | Cushing | Liddle | Seeley |
| Beach | Davis | Lindsay | Sherman |
| Beates | Deane | Low | Shuit |
| Benedict, T. E. | Douglass | McAvoy | Sipp |
| Bennett | Duell | McCabe | Sisson |
| Bradley | Duguid | McTernan | Tallmadge |
| Brennan | Evans | Miller | Terpeny |
| Bridges | Ferris | Mooers | Tormey |
| Brodsky | Fish | Morgan | Tozier |
| Bullock | Fiske | Newman | Travis |
| Carpenter, I. S. | Gibbs | Nowlan | Treanor |
| Catlin | Gray | O'Connor | Tully |
| Chickering | Griggs | Peck | Tuthill, H. H. |
| Childs | Gwinup | Phillips | Warner |
| Clowes | Havens | Pitcher | Waterbury |
| Comstock | Hayes | Potter | Wells, D. A. |
| Congdon | Hoffman | Potts | Wells, J. L. |
| Cookinham | Howland | Rhodes | Weston |
| Costello | Hurd | Root | Youngs |
| Crapser | Husted | | |

Ordered. That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to incorporate the Saint Joseph's Cemetery in the city of Auburn," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 98 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Davis | Lindsay | Seeley |
| Baker, B. F. | Deane | McAvoy | Shanley |
| Baker, O. S. | Dougherty | McCabe | Sherman |
| Beach | Douglass | McCarthy | Shuit |
| Beates | Duell | McDonald | Sipp |
| Benedict, T. E. | Duguid | McTernan | Sisson |
| Bennett | Ellis | Mead | Slingerland |
| Bradley | Evans | Miller | Strait |
| Brennan | Ferris | Mooers | Tallmadge |
| Brodsky | Fish | Morgan | Terpeny |
| Bullock | Fitzgerald | Newman | Thilemann |
| Carpenter, E. A. | Gibbs | Nowlan | Titus |
| Carpenter, I. S. | Gillette | O'Brien | Tormey |
| Catlin | Gorsline | O'Connor | Tozier |
| Chickering | Gray | Parker | Travis |
| Clark | Griggs | Peck | Treanor |
| Clowes | Hayes | Phillips | Tully |
| Cohen | Hoffman | Potter | Tuthill, H. H. |
| Congdon | Howland | Potts | Walsh |
| Cookinham | Hurd | Rhodes | Warner |
| Costello | Husted | Roberts | Waterbury |

| | | | |
|----------|-----------|---------|--------------|
| Crapser | Ingersoll | Root | Wells, D. A. |
| Cullinan | Kennedy | Russell | Wells, J. L. |
| Curtis | Lefever | Sanders | Weston |
| Cushing | Liddle | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act in relation to the enlargement of the bridge across the Erie canal at Fultonville," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }
{ NOES 17 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Congdon | Kennedy | Shuit |
| Andrews | Cookinham | Liddle | Sipp |
| Baker, B. F. | Costello | Lindsay | Sisson |
| Baker, C. S. | Curtis | Low | Steele |
| Beach | Cushing | McAvoy | Strait |
| Beates | Davis | McDonald | Tallmadge |
| Bradley | Deane | McTernan | Terpeny |
| Brennan | Dougherty | Mooers | Titus |
| Bridges | Douglass | Morgan | Tormey |
| Brodsky | Duguid | Nowlan | Tozier |
| Bullock | Fitzgerald | O'Brien | Travis |
| Carpenter, E. A. | Gibbs | O'Connor | Tuthill, H. H. |
| Carpenter, I. S. | Gillette | Pitcher | Varnum |
| Catlin | Goraline | Potter | Warner |
| Chase | Gray | Potts | Waterbury |
| Chickering | Hayes | Root | Wells, D. A. |
| Clark | Howland | Russell | Wells, J. L. |
| Clowes | Hurd | Sealey | Weston |
| Cohen | Husted | Shanley | Youngs |
| Comstock | Ingersoll | Sherman | Mr. Speaker |

Those who voted in the negative, were

| | | | |
|-----------------|--------|----------|-------------|
| Benedict, T. E. | Ferris | Hoffman | Parker |
| Case | Fish | McCabe | Peck |
| Crapser | Gwinup | Miller | Slingerland |
| Ellis | Havens | Mitchell | Tully |
| Evans | | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to incorporate the Cathedral Chapter and Corporators of the Diocese of Western New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 91 }
{ NOES 2 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|--------------|
| Alvord | Cookinham | Hurd | Sherman |
| Andrews | Costello | Husted | Shuit |
| Baker, B. F. | Curtis | Kennedy | Sipp |
| Baker, C. S. | Davis | McAvoy | Slingerland |
| Beach | Deane | McCabe | Tallmadge |
| Beates | Dougherty | McTernan | Terpeny |
| Benedict, T. E. | Douglass | Mead | Terry |
| Bennett | Duguid | Miller | Thilemann |
| Bradley | Ellis | Mitchell | Titus |
| Brennan | Evans | Morgan | Tormey |
| Bridges | Ferris | Nowlan | Tozier |
| Brodsky | Fish | O'Brien | Travis |
| Bullock | Fiske | O'Connor | Treanor |
| Carpenter, E. A. | Fitzgerald | Parker | Tully |
| Carpenter, I. S. | Gibbs | Peck | Varnum |
| Case | Gillette | Phillips | Warner |
| Catlin | Gorsline | Pitcher | Waterbury |
| Chamberlain | Gray | Potter | Wells, D. A. |
| Chickering | Gwinup | Rhodes | Wells, J. L. |
| Clowes | Havens | Russell | Weston |
| Cohen | Hayes | Seeley | Yungis |
| Comstock | Hoffman | Shanley | Mr. Speaker |
| Congdon | Howland | Sheridan | |

Those who voted in the negative, were

Potts Root

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act making appropriations for the payment of certain awards made by the State Board of Audit," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 96 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------|
| Alvord | Curtis | Hurd | Russell |
| Andrews | Cushing | Husted | Sanders |
| Baker, C. S. | Davis | Kennedy | Seeley |
| Beach | Deane | Liddle | Sheridan |
| Beates | Dougherty | McAvoy | Sherman |
| Benedict, T. E. | Douglass | McCabe | Shuit |
| Bennett | Duell | McCarthy | Sipp |
| Bradley | Duguid | McTernan | Sisson |
| Brennan | Ellis | Miller | Tallmadge |
| Brodsky | Evans | Mitchell | Terpeny |
| Carpenter, E. A. | Ferris | Moore | Terry |
| Carpenter, I. S. | Fish | Morgan | Titus |
| Case | Fiske | Newman | Tormey |
| Catlin | Fitzgerald | Nowlan | Tozier |
| Chamberlain | Gibbs | O'Brien | Treanor |

| | | | |
|------------|----------|----------|----------------|
| Chickering | Gillette | Parker | Tuthill, H. H. |
| Childs | Gorsline | Peck | Varnum |
| Clark | Griggs | Phillips | Warner |
| Clowes | Grosse | Pitcher | Waterbury |
| Cohen | Gwinup | Potter | Wells, D. A. |
| Comstock | Havens | Potts | Wells, J. L. |
| Congdon | Hayes | Rhodes | Weston |
| Cookinham | Hoffman | Roberts | Wren |
| Costello | Howland | Root | Youngs |

Those who voted in the negative, were

Crapser

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Sheridan offered for the consideration of the House a privileged resolution in the words following :

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return of Assembly bill entitled "An act to prevent interference with owners and captains of steamers engaged in the towing business," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Griggs moved to take from the table the motion to reconsider the vote by which the Senate amendments to Assembly bill entitled "An act to amend chapter 431 of the Laws of 1875, entitled 'An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof,'" were concurred in.

Mr. Speaker put the question whether the House would agree to take said motion to reconsider from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said amendments were concurred in, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 96 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-------------|
| Alvord | Crapser | Husted | Sanders |
| Andrews | Cullinan | Liddle | Seeley |
| Baker, C. S. | Curtis | Lindsay | Sherman |
| Beach | Cushing | McAvoy | Shuit |
| Beates | Davis | McCabe | Sipp |
| Benedict, T. E. | Deane | McCarthy | Sisson |
| Bennett | Dougherty | Newman | Slingerland |
| Bradley | Douglass | Miller | Steele |
| Brennan | Duell | Mitchell | Tallmadge |
| Bridges | Evans | Mooers | Terpeny |
| Brodsky | Ferris | Morgan | Terry |
| Carpenter, E. A. | Fish | Newman | Titus |
| Carpenter, I. S. | Fitzgerald | Nowlan | Tozier |
| Catlin | Gibbs | O'Brien | Travis |
| Chamberlain | Gillette | Parker | Treanor |

| | | | |
|------------|----------|----------|----------------|
| Chickering | Goraline | Peck | Tully |
| Childs | Gray | Phillips | Tuthill, H. H. |
| Clark | Griggs | Pitcher | Varnum |
| Clowes | Grosse | Potter | Warner |
| Cohen | Gwinup | Potts | Waterbury |
| Comstock | Havens | Rhodes | Wells, D. A. |
| Congdon | Hayes | Roberts | Wells, J. L. |
| Cookinham | Hoffman | Root | Weston |
| Costello | Howland | Russell | Youngs |

Mr. Alvord moved to non-concur in the amendments made to said bill, and asked the appointment of a conference committee on the part of the House and request a like committee on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate sent for concurrence the following resolutions:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor requesting the return of Senate bill No. 274, entitled "An act for the better preservation of trees and shrubbery on the islands in Lake George," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein.

Also,

Requesting the return of Senate bill No. 120, entitled "An act to enforce the assessment of shareholders in banking associations to make good a deficit in capital," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein.

The bill entitled "An act releasing all the right, title and interest of the People of the State of New York to and in certain lands in the city of Brooklyn, Eastern district, formerly town of Bushwick, county of Kings, formerly lying in the East river," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 93 }
{ NOES 2 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------|
| Alvord | Crapser | Kennedy | Russell |
| Andrews | Curtis | Lefever | Sanders |
| Baker, C. S. | Cushing | Liddle | Seeley |
| Beach | Davis | Lindsay | Sherman |
| Beates | Deane | McAvoy | Shuit |
| Bennett | Dougherty | McCabe | Sipp |
| Bradley | Douglass | Mead | Sisson |
| Brennan | Duell | Miller | Steele |
| Bridges | Evans | Mitchell | Tallmadge |
| Brodsky | Ferris | Mooers | Terpeny |
| Bullock | Fish | Morgan | Terry |
| Carpenter, E. A. | Fiske | Newman | Titus |

| | | | |
|------------------|------------|----------|----------------|
| Carpenter, I. S. | Fitzgerald | Nowlan | Tozier |
| Catlin | Gibbs | O'Brien | Travis |
| Chamberlain | Gillette | Parker | Tully |
| Chickering | Gorsline | Peck | Tuthill, H. H. |
| Childs | Gray | Phillips | Warner |
| Clark | Hayes | Pitcher | Waterbury |
| Clowes | Hoffman | Potter | Wells, D. A. |
| Cohen | Howland | Potts | Wells, J. L. |
| Comstock | Hurd | Rhodes | Weston |
| Congdon | Husted | Roberts | Wren |
| Cookinham | Ingersoll | Root | Youngs |
| Costello | | | |

Those who voted in the negative, were
Ellis Havens

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to amend chapter 46 of the Laws of 1872, entitled 'An act to amend an act entitled 'An act to amend and consolidate the charter of the village of Middletown, passed March 31, 1866, and to define the school district boundaries,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Cullinan | Kennedy | Root |
| Andrews | Curtis | Lefever | Russell |
| Baker, C. S. | Cushing | Liddle | Sanders |
| Beach | Davis | Lindsay | Shuit |
| Beates | Deane | Low | Sipp |
| Benedict, E. D. | Dougherty | McAvoy | Sisson |
| Bennett | Douglass | McCabe | Slingerland |
| Bradley | Duell | Mead | Tallmadge |
| Brennan | Duguid | Miller | Terpeny |
| Bridges | Evans | Mitchell | Terry |
| Brodsky | Ferris | Moors | Thilemann |
| Bullock | Fish | Morgan | Titus |
| Carpenter, I. S. | Flake | Newman | Tozier |
| Case | Gibbs | Nowlan | Travis |
| Catlin | Gillette | O'Brien | Treanor |
| Chamberlain | Gorsline | Parker | Tuthill, H. H. |
| Chickering | Gray | Peck | Warner |
| Childs | Gwinup | Phillips | Waterbury |
| Clark | Havens | Pitcher | Wells, D. A. |
| Clowes | Hayes | Potter | Wells, J. L. |
| Comstock | Howland | Potts | Weston |
| Congdon | Hurd | Rhodes | Wren |
| Cookinham | Husted | Roberts | Youngs |
| Craeper | Ingersoll | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to provide for the removal of eel weirs and other devices for taking fish from the Wallkill river, and to prevent the maintenance of such devices," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|--------------|
| Alvord | Davis | Kennedy | Roberts |
| Baker, B. F. | Deane | Lefever | Root |
| Baker, C. S. | Dougherty | Liddle | Russell |
| Beach | Douglass | Lindsay | Seeley |
| Beates | Duguid | Low | Sheridan |
| Benedict, T. E. | Ellis | McAvoy | Sherman |
| Bradley | Evans | McCabe | Shuit |
| Brennan | Ferris | McCarthy | Sipp |
| Bridges | Fish | McDonald | Sisson |
| Brodsky | Fiske | McTernan | Slingerland |
| Carpenter, E. A. | Fitzgerald | Mead | Tallmadge |
| Carpenter, I. S. | Gibbs | Miller | Terry |
| Case | Gillette | Mitchell | Thilemann |
| Chickering | Gorsline | Mooers | Titus |
| Childs | Gray | Morgan | Tormey |
| Clark | Gwinup | Newman | Tozier |
| Comstock | Havens | Nowlan | Tully |
| Congdon | Hayes | O'Brien | Varnum |
| Cookinham | Hoffman | O'Connor | Warner |
| Costello | Howland | Parker | Waterbury |
| Crafts | Hurd | Peck | Wells, D. A. |
| Curtis | Husted | Phillips | Wells, J. L. |
| Cushing | Ingersoll | Potts | Weston |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Titus, from the sub-committee of the whole, presented a report from said committee; which was laid on the table and ordered printed.
(See Doc. No. 142.)

Senate bill entitled "An act to authorize the improvement of certain rivers, and to facilitate the running and driving of saw logs, lumber and timber down the same," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }
{ NOES 4 }

Those who voted in the affirmative, were

| | | | |
|-----------------|--------|----------|-------------|
| Alvord | Duguid | Miller | Slingerland |
| Baker, B. F. | Ellis | Mitchell | Strait |
| Baker, C. S. | Evans | Mooers | Tallmadge |
| Beates | Ferris | Morgan | Terpeny |
| Benedict, T. E. | Fish | Newman | Terry |

| | | | |
|-------------|------------|----------|-----------------|
| Bradley | Fiske | Nowlan | Thilemann |
| Brennan | Fitzgerald | O'Connor | Tormey |
| Brodsky | Gibbs | Peck | Tozier |
| Bullock | Gorsline | Phillips | Travis |
| Case | Griggs | Pitcher | Tully |
| Chamberlain | Gwinup | Potts | Van Valkenburgh |
| Chickering | Hayes | Rhodes | Varnum |
| Clark | Hoffman | Roberts | Walsh |
| Clowes | Hurd | Root | Warner |
| Comstock | Husted | Russell | Waterbury |
| Congdon | Ingersoll | Seeley | Wells, D. A. |
| Cookinham | Kennedy | Shanley | Wells, J. L. |
| Costello | Lindsay | Sheridan | Weston |
| Davis | Low | Sherman | Wiley |
| Dougherty | McAvoy | Shuit | Wren |
| Douglass | McCabe | Sipp | Youngs |
| Duell | Mead | Sisson | |

Those who voted in the negative, were

| | | | |
|---------|---------|----------|---------|
| Andrews | Crapser | Gillette | Howland |
|---------|---------|----------|---------|

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Speaker appointed as a conference committee on Assembly bill No. 90, entitled "An act to protect Central Park, in the city of New York, and the streets bordering upon the same, from encroachment by elevated railroads," Messrs. Varnum, E. A. Carpenter, C. S. Baker, Brodsky and Shanley.

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of the appointment of a conference committee thereon, and request a like committee on the part of the Senate.

A message from the Senate was received in the words following:

IN SENATE, May 17, 1880.

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to amend chapter 272 of the Laws of 1879, entitled 'An act making appropriations for certain expenses of government, and supplying deficiencies in former appropriations.'"

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Jacobs, and by unanimous consent, the same was amended as follows:

Strike out the 1st section of this bill and insert the following in lieu thereof:

Section 1. The paragraph of chapter 272 of the Laws of 1879, entitled "An act making appropriations for certain expenses of government, and supplying deficiencies in former appropriations," which reads as follows:

"For the erection of State armories in the cities of New York and Brooklyn, the sum of \$200,000, as follows: \$100,000 thereof for the erection of an armory in the city of New York, for the use of the eighth regiment, National Guard, State of New York, a battery of artillery, a troop of cavalry, and for the head-quarters of the third brigade; and \$100,000 thereof for the erection of an armory in the eastern district of the city of Brooklyn, for the use of that portion of the infantry of the eleventh brigade whose head-quarters are in said district; to be expended under the direction of the Adjutant-General,

the Inspector-General, and the Chief of Ordnance of this State. But no part of this appropriation shall be expended by them except upon a contract for the completion of the armory in each case, at a cost not to exceed \$100,000 in each case, nor until an indefeasible title to a suitable site for such armory in each case, free from all incumbrances, shall be vested in the People of this State without cost to the State, and to be approved by the above named officials or a majority of them. Such contract shall be awarded by them to the lowest responsible bidder therefor, after reasonable and public advertisement for such work," is hereby amended so as to read as follows:

"For the erection of State armories in the cities of New York and Brooklyn the sum of \$200,000, as follows: \$100,000 thereof for the erection of an armory in the city of New York for the use of the eighth regiment, National Guard, State of New York, a battery of artillery, a troop of cavalry, and for the head-quarters of the third brigade; and \$100,000 thereof for the erection of an armory in the eastern district of the city of Brooklyn for the use of that portion of the infantry of the eleventh brigade whose head-quarters are in said district; to be expended under the direction of the Adjutant-General, the Inspector-General, and the Chief of Ordnance of this State. But no part of this appropriation shall be expended by them except upon a contract for the completion of the armory in each case, at a cost not to exceed \$100,000 in each case, nor until an indefeasible title to a suitable site for such armory in each case, free from all incumbrances, shall be vested in the People of this State without cost to the State, and to be approved by the above named officials or a majority of them. Provided, that if the city of New York is the owner of any real estate by indefeasible title, suitable as a site for an armory for said eighth regiment, said battery of artillery, said troop of cavalry, and said head-quarters of the third brigade, and acceptable to the above named officials, the city of New York may lease the same to the State of New York for such purpose for the term of ninety-nine years at one dollar per year, and the above named officials may accept the same for such purpose. Such contract shall be awarded by them to the lowest responsible bidder therefor, after reasonable and public advertisement for such work."

And as amended, passed and ordered sent to the Assembly for concurrence.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 96 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|-----------|-------------|
| Alvord | Curtis | Hurd | Root |
| Andrews | Cushing | Husted | Russell |
| Baker, B. F. | Davis | Ingersoll | Sanders |
| Baker, C. S. | Deane | Kennedy | Seeley |
| Beach | Dougherty | Liddle | Sheridan |
| Beates | Douglass | McAvoy | Sherman |
| Benedict, E. D. | Duell | McCabe | Shuit |
| Bradley | Duguid | McCarthy | Sipp |
| Brennan | Ellis | McDonald | Sisson |
| Brodsky | Evans | Miller | Slingerland |
| Bullock | Ferris | Mitchell | Tallmadge |

| | | | |
|------------------|----------|----------|-----------------|
| Carpenter, E. A. | Fish | Mooers | Terry |
| Carpenter, I. S. | Fiske | Morgan | Thilemann |
| Catlin | Gibbs | Newman | Titus |
| Chase | Gillette | Nowlan | Travis |
| Chickering | Gorsline | O'Brien | Tully |
| Clark | Gray | O'Connor | Van Valkenburgh |
| Clowes | Grosse | Parker | Warner |
| Comstock | Gwinup | Peck | Waterbury |
| Congdon | Hagan | Phillips | Wells, D. A. |
| Cookinham | Havens | Pitcher | Wells, J. L. |
| Costello | Hayes | Potts | Weston |
| Crapsier | Hoffman | Rhodes | Wiley |
| Cullinan | Howland | Roberts | Wren |

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 90 }
{ NOES 3 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|-----------------|
| Alvord | Comstock | Howland | Roberts |
| Andrews | Congdon | Hurd | Root |
| Baker, B. F. | Cookinham | Husted | Russell |
| Baker, C. S. | Costello | Ingersoll | Sanders |
| Beach | Crapsier | Kennedy | Seeley |
| Beates | Cullinan | Liddle | Sherman |
| Benedict, E. D. | Curtis | McAvoy | Shuit |
| Benedict, T. E. | Cushing | McCabe | Sipp |
| Bennett | Davis | McCarthy | Sisson |
| Bradley | Deane | McDonald | Slingerland |
| Brennan | Dougherty | Miller | Tallmadge |
| Bridges | Douglass | Mitchell | Terry |
| Brodaky | Duguid | Morgan | Torney |
| Bullock | Fish | Newman | Tully |
| Carpenter, E. A. | Fiske | Nowlan | Van Valkenburgh |
| Carpenter, I. S. | Fitzgerald | O'Brien | Walsh |
| Catlin | Gibbs | O'Connor | Warner |
| Chamberlain | Gillette | Parker | Waterbury |
| Chase | Gorsline | Peck | Wells, D. A. |
| Chickering | Gray | Phillips | Wells, J. L. |
| Clark | Grosse | Pitcher | Weston |
| Clowes | Hayes | Potts | Wiley |
| Cohen | Hoffman | | |

Those who voted in the negative, were

| | | |
|-------|--------|--------|
| Ellis | Gwinup | Rhodes |
|-------|--------|--------|

Ordered, That the Clerk return said bill to the Senate with a message informing of concurrence in their amendments.

Mr. Shanley moved to take from the table the motion to reconsider the vote by which Assembly bill entitled "An act in relation to the highways of this State of certain width," was lost.

Mr. Speaker put the question whether the House would agree to take said motion to reconsider from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 80 }
{ NOES 16 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|----------|-----------------|
| Alvord | Curtis | Kennedy | Sanders |
| Andrews | Cushing | Low | Seeley |
| Baker, B. F. | Davis | McAvoy | Shanley |
| Baker, C. S. | Dougherty | McCarthy | Sherman |
| Beates | Ellis | McDonald | Shuit |
| Benedict, T. E. | Evans | McTernan | Sipp |
| Bennett | Ferris | Mead | Sisson |
| Bradley | Fish | Miller | Steele |
| Brennan | Fiske | Mitchell | Tallmadge |
| Brodsky | Gibbs | Mooers | Terpeny |
| Bullock | Gorsline | Newman | Thilemann |
| Case | Griggs | O'Connor | Tormey |
| Catlin | Gwinup | Parker | Treanor |
| Chase | Hagan | Peck | Tully |
| Clancy | Havens | Phillips | Van Valkenburgh |
| Clark | Hayes | Pitcher | Warner |
| Cohen | Hoffman | Potter | Waterbury |
| Costello | Howland | Potts | Wells, D. A. |
| Crapser | Hurd | Rhodes | Wiley |
| Cullinan | Ingersoll | Root | Youngs |

Those who voted in the negative, were

| | | | |
|------------------|------------|----------------|--------|
| Carpenter, I. S. | Douglass | Lindsay | Varnum |
| Chamberlain | Fitzgerald | Nowlan | Walsh |
| Childs | Gillette | Russell | Weston |
| Comstock | Lefever | Tuthill, H. H. | Wren |

Mr. Russell moved to recommit said bill to the committee on railroads.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 76 }
{ NOES 16 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|----------|-----------------|
| Alvord | Dougherty | McDonald | Shanley |
| Andrews | Douglass | McTernan | Sheridan |
| Baker, C. S. | Duguid | Mead | Sherman |
| Benedict, T. E. | Ellis | Miller | Sipp |
| Bennett | Fish | Mitchell | Strait |
| Bradley | Fiske | Mooers | Tallmadge |
| Brennan | Gibbs | Newman | Terpeny |
| Brodsky | Gray | O'Brien | Thilemann |
| Bullock | Griggs | O'Connor | Tormey |
| Catlin | Gwinup | Parker | Tozier |
| Chase | Havens | Peck | Travis |
| Childs | Hayes | Phillips | Treanor |
| Clancy | Hoffman | Pitcher | Tully |
| Clowes | Howland | Potter | Van Valkenburgh |
| Cohen | Husted | Potts | Varnum |
| Costello | Ingersoll | Rhodes | Warner |
| Crapser | Liddle | Roberts | Waterbury |

Curtis
Cushing

McAvoy
McCarthy

Root
Seeley

Wells, D. A.
Wiley

Those who voted in the negative, were

Beates
Carpenter, E. A.
Chamberlain
Comstock

Cullinan
Grosse
Kennedy
Lindsay

Low
Morgan
Nowlan
Russell

Tuthill, H. H.
Walsh
Weston
Wren

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act fixing the amount to be paid on a policy of insurance," being announced for a third reading.

Mr. Bradley moved to recommit said bill to the committee on insurance, with instructions to amend said bill in words following:

In line 4, section 1, after the word "unless" insert "there be a special agreement upon a separate instrument between the assurer and the insured, that the amount of damages shall be the actual loss sustained, provided the same does not exceed the amount insured, and unless."

Mr. C. S. Baker moved to further instruct said committee by striking all after the enacting clause and insert the following:

"An act to limit insurance on buildings by fire insurance companies and to prevent fraudulent fires."

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. No company, corporation or individual now or to be authorized to transact the business of fire insurance in this State shall hereafter, either by a new contract or the renewal or extension of any contract now in force, insure or agree to insure, or indemnify any person or persons against loss or damage by fire to any building or buildings, in excess of three-fourths of the actual cash value of such building or buildings; nor shall any such insurer be compelled to pay more than three-fourths of the actual cash value of any building or buildings at the time of loss.

§ 2. Any violation of the provisions of the foregoing section shall cause a forfeiture of the whole premium or sum received for such insurance to and for the use and benefit of the poor of the town, village or city where the insured building or buildings may be located, to be collected by the officer or officers in charge of said poor. And any willful violation of said first section shall be deemed a misdemeanor on the part of the agent or insurer found guilty thereof, punishable by a fine not exceeding \$500, or imprisonment if such fine be not paid.

§ 3. In case of loss where the forfeiture mentioned in the last section is less than \$50, a summons for the collection of the same may be issued by a justice of the peace of said town, village or city, returnable not less than twenty days from the service thereof, and may be served upon the agent issuing said insurance; or if issued from the chief office of the company, upon an officer or attorney of the issuer in any of the counties of this State, the same as if issued out of the Supreme Court of this State, and the justice of the peace issuing said summons shall have jurisdiction in the action and over the party so served, the same as if such party was a resident of the county where such justice resides, and the judgment rendered by said justice may be filed and docketed, and execution thereon issued in any county of this State, as now provided by law, and with the same costs as on a

judgment of over \$50. In the event of such execution being returned unsatisfied, and that fact being certified by the officer issuing the same to the Superintendent of the Insurance Department, said Superintendent shall immediately notify said company or its attorney in this State, and revoke its certificate in case said execution and the fees thereon are not paid within twenty days after the service of said notice.

§ 4 This act shall not prevent the issuing of a valued policy, whereby the value of the building is agreed upon and specified in the policy at the time of issuing the same by special contract between insurer and insured, and whenever loss occurs under such policy the insurer shall be debarred from proving the value of such building to be less than the specified value, but shall be liable, in the absence of fraud, to pay the full amount so specified in case of total loss and the actual damage in case of partial loss, with the privilege of rebuilding or repairing said building in material and workmanship equal to that of said building at time of loss.

§ 5. This act shall take effect on the first day of July, 1880.

Debate arising,

Mr. Rhodes moved the previous question.

Mr. Speaker put the question, "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Bradley, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. C. S. Baker, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 76 }
{ NOES 40 }

Those who voted in the affirmative, were

| | | | |
|-----------------|------------|-----------|-----------------|
| Alvord | Crapser | Ingersoll | Sherman |
| Baker, B. F. | Cullinan | Kennedy | Sipp |
| Beach | Curtis | Low | Sisson |
| Beates | Cushing | McAvoy | Slingerland |
| Benedict, E. D. | Dougherty | McCarthy | Strait |
| Benedict, T. E. | Douglass | McDonald | Terpeny |
| Bennett | Evans | McTernan | Terry |
| Brennan | Fish | Mead | Thilemann |
| Bridges | Fitzgerald | Morgan | Titus |
| Bullock | Gibbs | Newman | Tormey |
| Case | Gorsline | O'Brien | Tozier |
| Chase | Gray | O'Connor | Treanor |
| Chickering | Gwinup | Peck | Tully |
| Clancy | Hagan | Phillips | Van Valkenburgh |
| Clark | Havens | Potter | Walsh |
| Cohen | Hayes | Rhodes | Warner |
| Comstock | Hoffman | Roberts | Wells, D. A. |
| Congdon | Howland | Shanley | Weston |
| Costello | Hurd | Sheridan | Wren |

Those who voted in the negative, were

| | | | |
|--------------|--------|----------|--------|
| Andrews | Duell | Miller | Shuit |
| Baker, C. S. | Duguid | Mitchell | Steele |

| | | | |
|------------------|----------|---------|---------------|
| Bradley | Ellis | Moore | Yahnadge |
| Brodsky | Ferris | Nowlan | Travis |
| Carpenter, E. A. | Fiske | Parker | Tubill, H. H. |
| Carpenter, I. S. | Gillette | Pitcher | Varnum |
| Catlin | Griggs | Porter | Waterbury |
| Chamberlain | Husted | Root | Wells, J. L. |
| Davis | Liddle | Russell | Youngs |
| Deane | Lindsay | Seeley | Mr. Speaker |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Speaker appointed as a conference committee on Assembly bill No. 20, entitled "An act to amend chapter 431 of the Laws of 1873, entitled 'An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof.'" Messrs. Griggs, Shutt, Bridges, Andrews, and Havens.

Ordered, That the Clerk deliver said bill to the Senate, with a message informing that the Assembly have appointed a conference committee thereon, and request a like committee from the Senate.

By unanimous consent,

Mr. Varnum offered for the consideration of the House a resolution in the words following:

Resolved, That this order of business be laid aside for the purpose of going into committee of the whole upon Senate bill No. 397, entitled "An act to suppress intemperance, and to regulate the sale of liquors, wines, ale and beer in the cities of the State of New York in which the population by the last census exceeded 400,000."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

Mr. Varnum moved to lay on the table the order of business third reading of bills, for the purpose of taking up order of business reports of standing committees.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

The Senate sent for concurrence the bill entitled "An act relating to leases of railroads and railroad property within this State," which was read the first time, and by unanimous consent was also read the second time.

Mr. Terry moved to substitute said bill for Assembly bill on same subject now on order of third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Senate bill entitled "An act to provide for supplying the city of Kingston with pure and wholesome water," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 100 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|---------|----------|--------|---------|
| Alvord | Crapser | Hurd | Sanders |
| Andrews | Oullinan | Husted | Seeley |

| | | | |
|------------------|------------|-----------|----------------|
| Baker, B. F. | Curtis | Ingersoll | Shanley |
| Baker, C. S. | Cushing | Kennedy | Sheridan |
| Beach | Davis | Lefever | Sherman |
| Beates | Deane | Liddle | Shuit |
| Benedict, T. E. | Dougherty | Low | Sipp |
| Bennett | Douglass | McAvoy | Sisson |
| Brennan | Duell | McCabe | Slingerland |
| Bridges | Duguid | McCarthy | Steele |
| Brodsky | Ellis | McDonald | Strait |
| Bullock | Evans | Mooers | Tallmadge |
| Carpenter, E. A. | Ferris | Morgan | Terpeny |
| Carpenter, I. S. | Fish | Newman | Terry |
| Case | Fiske | Nowlan | Titus |
| Catlin | Fitzgerald | O'Brien | Tormey |
| Chickering | Gibbs | O'Connor | Tozier |
| Childs | Gillette | Peck | Travis |
| Clark | Gorsline | Phillips | Tully |
| Clowes | Gwinup | Pitcher | Tuthill, H. H. |
| Cohen | Hagan | Potts | Warner |
| Comstock | Havens | Rhodes | Waterbury |
| Congdon | Hayes | Roberts | Wells, D. A. |
| Cookinham | Hoffman | Root | Wells, J. L. |
| Costello | Howland | Russell | Weston |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to amend chapter 282 of the Laws of 1879, entitled 'An act to repeal chapter 43 of the Laws of 1871, entitled 'An act to exempt the county of Westchester from the provisions of chapter 888 of the Laws of 1869, entitled 'An act to amend title 16, chapter 8, part 3 of the Revised Statutes relative to proceedings for the drainage of swamps, marshes and other low or wet lands, and for draining farm lands,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }
{ NOES 2 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-------------|
| Alvord | Cullinan | Kennedy | Russell |
| Andrews | Cushing | Lefever | Sanders |
| Baker, B. F. | Deane | Liddle | Sealey |
| Baker, C. S. | Dougherty | Lindsay | Sheridan |
| Beach | Douglass | Low | Sherman |
| Beates | Duguid | McAvoy | Shuit |
| Benedict, E. D. | Evans | McCabe | Sipp |
| Benedict, T. E. | Ferris | McCarthy | Sisson |
| Bradley | Fish | McDonald | Slingerland |
| Brennan | Fitzgerald | Miller | Steele |
| Bridges | Gibbs | Mooers | Strait |
| Brodsky | Gillette | Morgan | Tallmadge |
| Bullock | Gorsline | Nowlan | Terpeny |
| Carpenter, I. S. | Gray | O'Brien | Terry |
| Case | Griggs | O'Connor | Titus |
| Catlin | Gwinup | Parker | Tozier |
| Clark | Hagan | Peck | Travis |

| | | | |
|------------------|----------|---------|----------------|
| Bradley | Ellis | Moore | Tallmadge |
| Brodsky | Ferris | Nowlan | Travis |
| Carpenter, E. A. | Fiske | Parker | Tuthill, H. H. |
| Carpenter, I. S. | Gillette | Pitcher | Varnum |
| Catlin | Griggs | Potts | Waterbury |
| Chamberlain | Husted | Root | Wells, J. L. |
| Davis | Liddle | Russell | Youngs |
| Deane | Lindsay | Seeley | Mr. Speaker |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Speaker appointed as a conference committee on Assembly bill No. 20, entitled "An act to amend chapter 431 of the Laws of 1875, entitled 'An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof,'" Messrs. Griggs, Shuit, Bridges, Andrews, and Havens.

Ordered, That the Clerk deliver said bill to the Senate, with a message informing that the Assembly have appointed a conference committee thereon, and request a like committee from the Senate.

By unanimous consent,

Mr. Varnum offered for the consideration of the House a resolution in the words following:

Resolved, That this order of business be laid aside for the purpose of going into committee of the whole upon Senate bill No. 397, entitled "An act to suppress intemperance, and to regulate the sale of liquors, wines, ale and beer in the cities of the State of New York in which the population by the last census exceeded 400,000."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

Mr. Varnum moved to lay on the table the order of business third reading of bills, for the purpose of taking up order of business reports of standing committees.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

The Senate sent for concurrence the bill entitled "An act relating to leases of railroads and railroad property within this State," which was read the first time, and by unanimous consent was also read the second time.

Mr. Terry moved to substitute said bill for Assembly bill on same subject now on order of third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Senate bill entitled "An act to provide for supplying the city of Kingston with pure and wholesome water," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 100 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|---------|----------|--------|---------|
| Alvord | Crapser | Hurd | Sanders |
| Andrews | Oullinan | Husted | Seeley |

| | | | |
|------------------|------------|-----------|----------------|
| Baker, B. F. | Curtis | Ingersoll | Shanley |
| Baker, C. S. | Cushing | Kennedy | Sheridan |
| Beach | Davis | Lefever | Sherman |
| Beates | Deane | Liddle | Shuit |
| Benedict, T. E. | Dougherty | Low | Sipp |
| Bennett | Douglass | McAvoy | Sisson |
| Brennan | Duell | McCabe | Slingerland |
| Bridges | Duguid | McCarthy | Steele |
| Brodsky | Ellis | McDonald | Strait |
| Bullock | Evans | Mooers | Tallmadge |
| Carpenter, E. A. | Ferris | Morgan | Terpeny |
| Carpenter, I. S. | Fish | Newman | Terry |
| Case | Fiske | Nowlan | Titus |
| Catlin | Fitzgerald | O'Brien | Tormey |
| Chickering | Gibbs | O'Connor | Tozier |
| Childs | Gillette | Peck | Travis |
| Clark | Gorsline | Phillips | Tully |
| Clowes | Gwinup | Pitcher | Tuthill, H. H. |
| Cohen | Hagan | Potts | Warner |
| Comstock | Havens | Rhodes | Waterbury |
| Congdon | Hayes | Roberts | Wells, D. A. |
| Cookinham | Hoffman | Root | Wells, J. L. |
| Costello | Howland | Russell | Weston |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to amend chapter 282 of the Laws of 1879, entitled 'An act to repeal chapter 43 of the Laws of 1871, entitled 'An act to exempt the county of Westchester from the provisions of chapter 888 of the Laws of 1869, entitled 'An act to amend title 16, chapter 8, part 3 of the Revised Statutes relative to proceedings for the drainage of swamps, marshes and other low or wet lands, and for draining farm lands,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }
{ NOES 2 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-------------|
| Alvord | Cullinan | Kennedy | Russell |
| Andrews | Cushing | Lefever | Sanders |
| Baker, B. F. | Deane | Liddle | Seeley |
| Baker, C. S. | Dougherty | Lindsay | Sheridan |
| Beach | Douglass | Low | Sherman |
| Beates | Duguid | McAvoy | Shuit |
| Benedict, E. D. | Evans | McCabe | Sipp |
| Benedict, T. E. | Ferris | McCarthy | Sisson |
| Bradley | Fish | McDonald | Slingerland |
| Brennan | Fitzgerald | Miller | Steele |
| Bridges | Gibbs | Mooers | Strait |
| Brodsky | Gillette | Morgan | Tallmadge |
| Bullock | Gorsline | Nowlan | Terpeny |
| Carpenter, I. S. | Gray | O'Brien | Terry |
| Case | Griggs | O'Connor | Titus |
| Catlin | Gwinup | Parker | Tozier |
| Clark | Hagan | Peck | Travis |

| | | | |
|-----------|-----------|----------|----------------|
| Cohen | Hayes | Phillips | Tully |
| Comstock | Hoffman | Pitcher | Tuthill, H. H. |
| Congdon | Howland | Potts | Varnum |
| Cookinham | Hurd | Rhodes | Warner |
| Costello | Husted | Roberts | Waterbury |
| Crapser | Ingersoll | Root | |

Those who voted in the negative, were
Carpenter, E. A. Curtis

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to amend chapter 449 of the Laws of 1876, entitled 'An act authorizing the trustees of the village of College Point to issue bonds and borrow money for the erection of a school-house in said village, and to increase the school tax in said village,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 99 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Davis | Lefever | Russell |
| Andrews | Deane | Liddle | Sanders |
| Baker, B. F. | Dougherty | Lindsay | Sherman |
| Baker, C. S. | Douglass | Low | Shuit |
| Beach | Duell | McCabe | Sipp |
| Beates | Duguid | McCarthy | Sisson |
| Benedict, E. D. | Ellis | McDonald | Slingerland |
| Benedict, T. E. | Evans | Miller | Steele |
| Bradley | Ferris | Mitchell | Strait |
| Brennan | Fish | Mooers | Tallmadge |
| Bridges | Fiske | Morgan | Terry |
| Brodaky | Fitzgerald | Newman | Titus |
| Bullock | Gibbs | Nowlan | Tozier |
| Carpenter, E. A. | Gillette | O'Brien | Travis |
| Carpenter, I. S. | Gorsline | O'Connor | Treanor |
| Case | Gray | Parker | Tully |
| Catlin | Griggs | Peck | Tuthill, H. H. |
| Chickering | Grosse | Phillips | Varnum |
| Clark | Gwinup | Pitcher | Walsh |
| Clowes | Hayes | Potter | Warner |
| Comstock | Hoffman | Potts | Waterbury |
| Congdon | Howland | Rhodes | Wells, D. A. |
| Cookinham | Hurd | Roberts | Wells, J. L. |
| Costello | Ingersoll | Root | Wiley |
| Curtis | Kennedy | | Youngs |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to abolish the office of marshal of the city of New York, and to provide for the appointment of officers in lieu of marshals in said city, and making certain regulations concerning the same," being announced for a third reading,

Mr. Mitchell moved to recommit said bill to the committee on affairs of cities, with instructions to strike out the enacting clause.

After debate,

Mr. Husted moved the previous question.

Mr. Speaker put the question, "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Mitchell, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 72 }
{ NOES 34 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|----------------|
| Andrews | Comstock | Hurd | Seeley |
| Baker, B. F. | Congdon | Husted | Sherman |
| Baker, C. S. | Cookinham | Ingersoll | Shuit |
| Beach | Costello | Kennedy | Sipp |
| Beates | Crapser | Lefever | Sisson |
| Benedict, E. D. | Cullinan | Liddle | Slingerland |
| Benedict, T. E. | Cushing | Lindsay | Strait |
| Bradley | Davis | McCabe | Tallmadge |
| Brodsky | Deane | Moors | Titus |
| Bullock | Duell | Morgan | Tozier |
| Carpenter, E. A. | Ellis | Nowlan | Travis |
| Case | Ferris | O'Brien | Tuthill, H. H. |
| Catlin | Fish | O'Connor | Walsh |
| Chamberlain | Gorsline | Phillips | Waterbury |
| Chase | Griggs | Pitcher | Wells, J. L. |
| Childs | Havens | Potter | Weston |
| Clowes | Hayes | Roberts | Wren |
| Cohen | Howland | Russell | Youngs |

Those who voted in the negative, were

| | | | |
|------------------|----------|----------|-----------|
| Alvord | Duguid | McDonald | Rhodes |
| Bennett | Fiske | McTernan | Root |
| Brennan | Gibbs | Mead | Sheridan |
| Carpenter, I. S. | Gillette | Miller | Thilemann |
| Chickering | Grosse | Mitchell | Treanor |
| Clancy | Gwinup | Newman | Tully |
| Clark | Hagan | Parker | Varnum |
| Curtis | Hoffman | Potts | Wiley |
| Dougherty | McCarthy | | |

Mr. Mitchell moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths of said members being present.

{ AYES 26 }
{ NOES 66 }

Those who voted in the affirmative, were

| | | | |
|--------------|-----------|---------|--------|
| Alvord | Dougherty | Hoffman | Parker |
| Baker, B. F. | Duguid | McAvoy | Potts |

| | | | |
|-----------------|------------|----------|-----------|
| Benedict, T. E. | Fiske | McCarthy | Rhodes |
| Bennett | Fitzgerald | McDonald | Sherman |
| Brennan | Gillette | Miller | Thilemann |
| Chickering | Grosse | Mitchell | Treanor |
| Curtis | Gwinup | | |

Those who voted in the negative, were

| | | | |
|------------------|----------|----------|----------------|
| Andrews | Cullinan | Lindsay | Seeley |
| Baker, C. S. | Cushing | Low | Sipp |
| Beach | Davis | McCabe | Sisson |
| Beates | Deane | McTernan | Slingerland |
| Bradley | Duell | Mooers | Strait |
| Brodsky | Evans | Morgan | Terry |
| Carpenter, E. A. | Ferris | Newman | Titus |
| Carpenter, L. S. | Fish | Nowlan | Tozier |
| Case | Gorsline | O'Brien | Travis |
| Chase | Gray | O'Connor | Tuthill, H. H. |
| Childs | Griggs | Phillips | Varnum |
| Clark | Hayes | Pitcher | Walsh |
| Clowes | Hurd | Potter | Waterbury |
| Cohen | Husted | Roberts | Wells, J. L. |
| Comstock | Kennedy | Root | Weston |
| Congdon | Lefever | Russell | Youngs |
| Cookinham | Liddle | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 294), entitled "An act to acquire land and to prepare the same for market purposes in the vicinity of Washington market in the city of New York," reported for the same for the consideration of the House.

The following minority report was then read:

To the Assembly:

The undersigned, members of the committee on affairs of cities, hereby dissent from the report of Senate bill No. 395, entitled "An act to acquire land and to prepare the same for market purposes in the vicinity of Washington market in the city of New York," for the consideration of the House.

Such report was agreed upon by a vote of four to two in committee, only six members of the committee being present. We respectfully recommend that said bill be rejected.

Respectfully submitted,

H. L. DUGUID,
CHAS. S. BAKER,
GEO. B. DEANE,
FRANCIS P. TREANOR.

Dated *May 17*, 1880.

By unanimous consent,

Mr. Sherman, from the committee on public education, to which was referred the bill introduced by Mr. Childs (introductory No. 1210), entitled "An act to repeal chapter 109 of the Laws of 1880, entitled 'An act to provide for the establishment of a union free school or schools within the corporate limits of the village of Cortland,'" reported in favor of the passage of the same, with amendments, which

report was agreed to and said bill committed to the committee of the whole. Mr. Crapser dissenting.

By unanimous consent,

Mr. Sherman, from the committee on public education, to which was referred the Senate bill, printed No. 36, entitled "An act conferring additional powers on the board of education of union free school district No. 1, of the town of Deerpark, Orange county, and granting additional privileges to said district," reported in favor of the passage of the same, with amendments and title amended, which report was agreed to.

On motion of Mr. Waterbury, and by unanimous consent, said bill was ordered to a third reading.

Mr. Childs moved to lay all order of business on the table for the purpose of taking up order of business general orders, for the purpose of considering Assembly bill entitled "An act to repeal chapter 109 of the Laws of 1880, entitled 'An act to provide for the establishment of a union free school or schools within the corporate limits of the village of Cortland.'"

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House then resolved itself into a committee of the whole on the bill entitled as follows :

"An act to repeal chapter 109 of the Laws of 1880, entitled 'An act to provide for the establishment of a union free school or schools within the corporate limits of the village of Cortland.'"

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Chickering, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Alvord moved to discharge the committee of the whole from the further consideration of said bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be engrossed for a third reading.

The Senate returned Senate bill entitled "An act in relation to the port and harbor of New York and the waters near the same," with a message that they have concurred in the conference committee report, and that they have reconsidered the vote on the final passage, and passed the bill with the following amendments:

Amend section 2 by adding at the end thereof: "That the prohibition to dump solid material in said port, harbor or river in this act contained, or to make and construct works to change and improve channels, shall not apply to works undertaken by the Government of the United States in the port and harbor of the city of New York."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }
{ NOES 1 }

Those who voted in the affirmative, were

Alvord
Andrews

Cushing
Davis

Lefever
Liddle

Seeley
Sheridan

| | | | |
|------------------|------------|----------|----------------|
| Baker, B. F. | Deane | Lindsay | Sherman |
| Baker, C. S. | Dougherty | Low | Shuit |
| Beach | Douglass | McCarthy | Sipp |
| Beates | Duguid | McDonald | Sisson |
| Bradley | Evans | McTernan | Slingerland |
| Bridges | Ferris | Mead | Steele |
| Brodsky | Fish | Miller | Strait |
| Bullock | Fiske | Morgan | Tallmadge |
| Carpenter, E. A. | Fitzgerald | Newman | Terry |
| Carpenter, I. S. | Gibbs | Nowlan | Tozier |
| Case | Gillette | O'Brien | Travis |
| Catlin | Gorsline | Parker | Tully |
| Chamberlain | Gray | Peck | Tuthill, H. H. |
| Chase | Gwinup | Phillips | Varnum |
| Chickering | Hayes | Pitcher | Walsh |
| Clark | Hoffman | Potter | Warner |
| Clowes | Howland | Potts | Waterbury |
| Cohen | Hurd | Roberts | Wells, D. A. |
| Comstock | Husted | Root | Wells, J. L. |
| Congdon | Ingersoll | Russell | Weston |
| Cookinham | Kennedy | Sanders | Youngs |
| Curtis | | | |

Those who voted in the negative, were
Mitchell

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act to prohibit the erection, construction, maintenance or operation of elevated railways, or extensions thereof, in certain streets or avenues, in the city of Brooklyn and county of Kings," with a message that the vote on the final passage of the bill was reconsidered, amendments of the Assembly non-concurred in, a committee of conference requested, and the following appointed as such committee on the part of the Senate: Messrs. Schroeder, Lord, and Jacobs.

Mr. Speaker announced as a committee of conference on the part of the Assembly Messrs. Tallmadge, Russell, E. A. Carpenter, Davis and Clancy.

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have appointed a conference committee thereon.

The Senate returned Senate bill entitled "An act to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn, and the various amendments thereof,'" with a message that they do non-concur in the amendments of the Assembly to the within entitled bill, and request a committee of conference thereon, and have appointed as such committee on its part Messrs. Schroeder, Mills, and Murtha.

Mr. Speaker announced as a conference committee on the part of the Assembly Messrs. Lindsay, Comstock, E. A. Carpenter, Shanley, and Russell.

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have appointed a conference committee thereon.

Mr. Sherman moved to reconsider the vote by which Assembly bill entitled "An act to amend chapter 555 of the Laws of 1864, entitled

'An act to revise and consolidate the general acts relating to public instruction,' " was passed, and that the motion do lay upon the table.

Mr. Speaker put the question whether the House would agree to lay said motion to reconsider on the table, and it was determined in the affirmative.

Mr. Alvord moved that this House do now take a recess until 4 P. M., and adjourn at 7 P. M.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

At 2 o'clock the House took a recess until 4 P. M.

FOUR O'CLOCK, P. M.

The House again met.

Mr. Speaker directed the Clerk to call the roll of members to ascertain if a quorum of members was present, and the following members answered to their names :

| | | | |
|------------------|------------|----------|---------------|
| Alvord | Cohen | Havens | Seeley |
| Andrews | Congdon | Hoffman | Sherman |
| Baker, B. F. | Crapser | Howland | Shuit |
| Beates | Cullinan | Lefever | Tallmadge |
| Benedict, E. D. | Curtis | Liddle | Terpeny |
| Benedict, T. E. | Cushing | Low | Travis |
| Bennett | Deane | McCabe | Treanor |
| Bradley | Douglass | Mead | Tully |
| Brennan | Duell | Miller | Tuttle, R. M. |
| Bridges | Ellis | Mitchell | Warner |
| Brodsky | Evans | Mooers | Waterbury |
| Bullock | Ferris | Morgan | Wells, D. A. |
| Carpenter, I. S. | Fish | Newman | Wells, J. L. |
| Case | Fiske | O'Brien | Weston |
| Chickering | Fitzgerald | O'Connor | Wiley |
| Childs | Gorsline | Parker | Wren |
| Clancy | Gray | Potts | Youngs |
| Clark | Gwinup | Sanders | Mr. Speaker |
| Clowes | | | |

73

A quorum being present.

A message from the Senate was received in the words following :

IN SENATE, May 20, 1880.

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to change the name of, and in relation to, the Association for Befriending Children."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Bixby, and by unanimous consent, the title of the same was amended so as to read as follows :

"An act to change the name of the Association for Befriending Children to the Association for Befriending Children and Young Girls, and in relation to said association, and to provide for the support of the persons cared for by such association."

And as amended, passed, re-engrossed, and ordered sent to the Assembly for concurrence.

Mr. Speaker put the question whether the House would agree to

reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Costello | Kennedy | Sanders |
| Andrews | Crapser | Lefever | Seeley |
| Baker, B. F. | Cullinan | Liddle | Sherman |
| Baker, C. S. | Curtis | Lindsay | Shuit |
| Beach | Cushing | Low | Tallmadge |
| Beates | Davis | McAvoy | Terpeny |
| Benedict, E. D. | Deane | McCabe | Titus |
| Bennett | Douglass | Miller | Tozier |
| Bradley | Duell | Mitchell | Travis |
| Brennan | Ellis | Mooers | Treanor |
| Bridges | Ferris | Morgan | Tully |
| Brodsky | Fish | Newman | Tuthill, H. H. |
| Bullock | Fiske | Nowlan | Tuttle, R. M. |
| Carpenter, I. S. | Fitzgerald | Parker | Warner |
| Case | Gorsline | Phillips | Waterbury |
| Chickering | Gray | Pitcher | Wells, D. A. |
| Childs | Griggs | Potter | Wells, J. L. |
| Clark | Gwinup | Potts | Weston |
| Clowes | Havens | Rhodes | Wiley |
| Cohen | Hoffman | Roberts | Wren |
| Congdon | Howland | Root | Youngs |
| Cookinham | Ingersoll | Russell | |

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Congdon | Hoffman | Russell |
| Andrews | Cookinham | Howland | Sanders |
| Baker, B. F. | Costello | Kennedy | Seeley |
| Baker, C. S. | Crapser | Lefever | Sheridan |
| Beach | Cullinan | Liddle | Sherman |
| Beates | Curtis | Lindsay | Shuit |
| Benedict, E. D. | Cushing | Low | Sipp |
| Benedict, T. E. | Davis | McAvoy | Tallmadge |
| Bennett | Deane | McCabe | Terpeny |
| Bradley | Dougherty | Miller | Travis |
| Brennan | Douglass | Mitchell | Treanor |
| Bridges | Duguid | Mooers | Tully |
| Brodsky | Ellis | Morgan | Tuthill, H. H. |
| Bullock | Evans | Newman | Tuttle, R. M. |
| Carpenter, I. S. | Ferris | Nowlan | Warner |
| Case | Fish | Parker | Waterbury |
| Catlin | Fiske | Phillips | Wells, D. A. |
| Chickering | Fitzgerald | Pitcher | Wells, J. L. |
| Childs | Gorsline | Potter | Weston |
| Clancy | Gray | Rhodes | Wiley |

Clark
Clowes
Cohen

Griggs
Hagan

Roberts
Root

Wren
Youngs

Those who voted in the negative, were
Potts

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act in relation to companies insuring steam boilers," with a message that they have concurred in the passage of the same, with the following amendments:

Strike out all of section after the word "is," in line 13 of section 1, and insert "incorporated, recognize the right of any company or companies organized under the laws of this State to do in such other state or country the business they are or may be authorized to do here."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Congdon | Havens | Root |
| Andrews | Cookinham | Hoffman | Sanders |
| Baker, B. F. | Costello | Howland | Seeley |
| Baker, C. S. | Crapser | Kennedy | Sherman |
| Beach | Cullinan | Lefever | Shuit |
| Beates | Curtis | Liddle | Sipp |
| Benedict, E. D. | Cushing | Lindsay | Tallmadge |
| Benedict, T. E. | Davis | Low | Terpeny |
| Bradley | Deane | McAvoy | Thilemann |
| Brennan | Dougherty | McCabe | Titus |
| Bridges | Duell | Miller | Travis |
| Brodsky | Duguid | Mitchell | Treanor |
| Bullock | Ellis | Mooers | Tuthill, H. H. |
| Carpenter, I. S. | Evans | Morgan | Tuttle, R. M. |
| Case | Ferris | Newman | Warner |
| Catlin | Fish | Nowlan | Waterbury |
| Chase | Fiske | Parker | Wells, D. A. |
| Chickering | Fitzgerald | Phillips | Wells, J. L. |
| Childs | Gorsline | Pitohier | Weston |
| Clancy | Gray | Potter | Wiley |
| Clark | Griggs | Potts | Wren |
| Clowes | Gwinup] | Rhodes | Youngs |
| Cohen | Hagan | Roberts | |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

Mr. Sherman moved to take from the table the motion to reconsider the vote by which Senate bill entitled "An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,'" was passed.

Mr. Speaker put the question whether the House would agree to take said motion to reconsider from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Crapser | Lefever | Sheridan |
| Baker, B. F. | Cullinan | Liddle | Sherman |
| Baker, C. S. | Curtis | Lindsay | Shuit |
| Beach | Cushing | Low | Sipp |
| Benedict, E. D. | Davis | McAvoy | Tallmadge |
| Benedict, T. E. | Deane | McCabe | Terpeny |
| Bradley | Duguid | Miller | Thilemann |
| Brennan | Evans | Mooers | Titus |
| Bridges | Ferris | Morgan | Tormey |
| Brodsky | Fish | Newman | Travis |
| Bullock | Fiske | Nowlan | Treanor |
| Carpenter, I. S. | Fitzgerald | O'Brien | Tuthill, H. H. |
| Case | Gorsline | Parker | Van Valkenburgh |
| Catlin | Gwinup | Phillips | Varnum |
| Chickering | Hagan | Pitcher | Warner |
| Childs | Havens | Potter | Waterbury |
| Clark | Hoffman | Potts | Wells, D. A. |
| Clowes | Howland | Rhodes | Wells, J. L. |
| Cohen | Hurd | Roberts | Weston |
| Congdon | Husted | Root | Wiley |
| Cookinham | Ingersoll | Sanders | Wren |
| Costello | Kennedy | Sealey | |

On motion of Mr. Sherman, and by unanimous consent, said bill was amended in words following:

Strike out all of section 1, after the word "follows" in the fourth line, and insert as follows: "Out of any moneys in the county treasury, and raised for contingent expenses, the treasurer shall pay to the trustees the amount of the taxes so returned as unpaid. And if there are no moneys in the treasury applicable to such purpose, the board of supervisors, at the time of levying said unpaid taxes as provided in the next section, shall pay to the trustees of the school district the amount thereof by voucher or draft on the county treasurer, in the same manner as other county charges are paid."

Said bill, as amended, was then read a third time.

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|-----------|----------|
| Alvord | Cookinham | Hayes | Phillips |
| Andrews | Costello | Hoffman | Pitcher |
| Baker, B. F. | Crapser | Howland | Potts |
| Baker, C. S. | Cullinan | Hurd | Rhodes |
| Beach | Curtis | Husted | Roberts |
| Beates | Davis | Ingersoll | Root |
| Benedict, E. D. | Deane | Kennedy | Russell |

| | | | |
|------------------|------------|----------|-----------------|
| Benedict, T. E. | Dougherty | Lefever | Sanders |
| Bennett | Douglass | Liddle | Sherman |
| Bradley | Duell | Low | Shuit |
| Brennan | Duguid | McCabe | Sipp |
| Bridges | Ellis | McCarthy | Tallmadge |
| Brodsky | Evans | McDonald | Terpeny |
| Bullock | Ferris | Miller | Titus |
| Carpenter, I. S. | Fish | Mitchell | Travis |
| Case | Fiske | Mooers | Tuthill, H. H. |
| Catlin | Fitzgerald | Newman | Van Valkenburgh |
| Chase | Gorsline | Nowlan | Warner |
| Chickering | Gray | O'Brien | Waterbury |
| Clark | Griggs | O'Connor | Wells, J. L. |
| Clowes | Gwinup | Parker | Weston |
| Comstock | Havens | Peck | Wiley |
| Congdon | | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

A message was received from the Governor, in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }
ALBANY, May 20, 1880. }

To the Assembly:

Pursuant to a joint resolution of the Senate and Assembly, Assembly bill No. 23, entitled "An act to regulate voting by stock and bondholders of railroad corporations," is herewith returned for amendment.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|-----------------|
| Alvord | Crapser | Hurd | Russell |
| Andrews | Cullinan | Husted | Seeley |
| Baker, B. F. | Curtis | Ingersoll | Sherman |
| Baker, C. S. | Quahing | Kennedy | Shuit |
| Beach | Davis | Lefever | Sipp |
| Beates | Deane | Liddle | Sisson |
| Benedict, E. D. | Dougherty | Lindsay | Slingerland |
| Benedict, T. E. | Douglass | Low | Steele |
| Bennett | Duell | McAvoy | Tallmadge |
| Bradley | Duguid | McDonald | Terpeny |
| Brennan | Ellis | Miller | Terry |
| Bridges | Evans | Mitchell | Titus |
| Brodsky | Ferris | Nowlan | Travis |
| Bullock | Fish | O'Brien | Treanor |
| Carpenter, I. S. | Fiske | O'Connor | Tully |
| Catlin | Fitzgerald | Peck | Van Valkenburgh |
| Chickering | Gorsline | Phillips | Warner |
| Childs | Gray | Pitcher | Waterbury |
| Clark | Griggs | Potts | Wells, D. A. |
| Clowes | Gwinup | Rhodes | Wells, J. L. |

Congdon
Cookinham
Costello

Hayes
Hoffman
Howland

Roberts
Root

Weston
Wiley

On motion of Mr. Duguid, and by unanimous consent, said bill was amended in words following:

Line 34, section 2, printed bill, after the word "who" insert the following, "knowingly or willfully."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|-----------------|
| Alvord | Crapsier | Ingersoll | Sanders |
| Andrews | Cullinan | Kennedy | Seeley |
| Baker, B. F. | Curtis | Lefever | Sheridan |
| Baker, C. S. | Cushing | Liddle | Sherman |
| Beach | Davis | Low | Shuit |
| Beates | Deane | McAvoy | Sipp |
| Benedict, E. D. | Dougherty | McDonald | Slingerland |
| Bridges | Duell | Miller | Steele |
| Brodsky | Duguid | Mitchell | Tallmadge |
| Carpenter, I. S. | Ellis | Nowlan | Terry |
| Case | Evans | O'Brien | Titus |
| Catlin | Ferris | O'Connor | Tormey |
| Chamberlain | Fish | Peck | Tozier |
| Chickering | Fitzgerald | Phillips | Travis |
| Childs | Gorsline | Pitcher | Tully |
| Clark | Gray | Potter | Van Valkenburgh |
| Clowes | Gwinup | Potts | Warner |
| Cohen | Havens | Rhodes | Waterbury |
| Comstock | Hayes | Roberts | Wells, J. L. |
| Congdon | Hoffman | Root | Weston |
| Cookinham | Howland | Russell | Wiley |
| Costello | Hurd | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

Mr. Titus called from the table the report of the sub-committee of the whole in words following:

Report of the sub-committee of the whole.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 965, printed No. 781, entitled "An act for the better protection of manufacturing interests," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 930, printed No. 762, entitled "An act in relation to rates of fare upon certain railroads," reported in favor of the passage of the same, with amendments as follows:

Section 1, line 2, after the word "length" insert "and which propels its cars by steam."

To add as section 2 the following: "This act shall not apply to any railroad company which, by its charter or by any special act, is authorized to charge more than the amount herein mentioned."

Change section 2 to section 3.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 927, printed No. 760, entitled "An act to organize a night medical service in the city of New York and to provide medical assistance in cases of sudden sickness or accident during the night time," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 872, printed No. 733, entitled "An act to amend chapter 252 of the Laws of 1879, entitled 'An act to amend chapter 319 of the Laws of 1848, entitled 'An act for the incorporation of benevolent, charitable, scientific and missionary societies,' " reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 733, printed No. 634, entitled "An act to repeal chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties,' " reported in favor of the passage of the same, with amendments as follows:

To add as section 2 the following: "The provisions of this act shall not apply to the counties of Westchester and Tompkins."

Change section 2 to section 3.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 969, printed No. 789, entitled "An act for the relief of Thomas Duffy, who performed the duty and rendered services as clerk of the seventh judicial district court in the city of New York during part of the year 1879," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 1001, printed No. 357, entitled "An act for the relief of the Buffalo Surgical Infirmary," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 991, printed No. 402, entitled "An act to regulate the leasing of real estate by the mayor, aldermen and commonalty of the city of New York," reported in favor of the passage of the same, without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 987, printed No. 312, entitled "An act to make effectual judicial decrees against unknown owners," reported in favor of the passage of the same, without amendment.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Ordered, That said bills be engrossed for a third reading.

The Senate returned Assembly bill entitled "An act in relation to unpaid taxes and assessments in the city of Brooklyn," with a message that they do non-concur in the amendments of the Assembly to the within entitled bill, request a committee of conference thereon, and appoint as such committee on its part Messrs. Schroeder, Loomis and Murtha.

Mr. Speaker appointed as said committee on the part of the House Messrs. Wren, Lindsay, Gorsline, Newman and Tully.

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have appointed a conference committee thereon.

The Senate returned Senate bill entitled "An act to provide for a further appropriation of moneys for the maintenance of the public parks of the city of Brooklyn," with a message that they do not concur in the amendments of the Assembly in the within entitled bill, and request a committee of conference thereon, and appoint as such committee on its part Messrs. Murtha, Schroeder and Wendover.

Mr. Speaker appointed as such conference committee Messrs. Wren, Russell, Tormey, Cullinan and Varnum.

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have appointed a conference committee thereon.

Senate bill entitled "An act to provide for the improvement of Morningside park in the city of New York, and of the streets and avenues bounding said park," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 97 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|-----------------|
| Alvord | Cookinham | Hoffman | Sanders |
| Andrews | Costello | Howland | Seeley |
| Baker, B. F. | Crapsier | Hurd | Sherman |
| Baker, C. S. | Cullinan | Husted | Shuit |
| Beach | Curtis | Ingersoll | Sipp |
| Beates | Cushing | Kennedy | Sisson |
| Benedict, E. D. | Davis | Lefever | Slingerland |
| Bennett | Deane | Liddle | Steele |
| Bradley | Douglass | Low | Strait |
| Brennan | Duell | McCabe | Tallmadge |
| Bridges | Duguid | McCarthy | Terpeny |
| Brodsky | Evans | Miller | Terry |
| Bullock | Ferris | Nowlan | Thilemann |
| Carpenter, E. A. | Fish | O'Brien | Titus |
| Carpenter, I. S. | Fiske | Parker | Tormey |
| Catlin | Fitzgerald | Peck | Tozier |
| Chamberlain | Gibbs | Phillips | Travis |
| Chase | Gillette | Pitcher | Tuthill, H. H. |
| Chickering | Gorsline | Potter | Van Valkenburgh |
| Childs | Gray | Potts | Warner |
| Clark | Griggs | Rhodes | Waterbury |
| Clowes | Gwinup | Roberts | Wells, J. L. |
| Cohen | Hagan | Root | Weston |
| Comstock | Hayes | Russell | Wiley |
| Congdon | | | |

Those who voted in the negative, were

Treanor

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence the bill entitled "An act to organize a night medical service in the city of New York, and to provide medical assistance in cases of sudden sickness or accident during the night time," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hayes, and by unanimous consent, said bill was substituted for Assembly bill No. 780 on same subject.

Senate bill entitled "An act relative to the village of Athens, in Greene county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 105 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|-----------------|
| Alvord | Crapsier | Husted | Seeley |
| Andrews | Cullinan | Ingersoll | Sherman |
| Baker, B. F. | Curtis | Kennedy | Shuit |
| Baker, C. S. | Cushing | Lefever | Sipp |
| Beach | Davis | Liddle | Sisson |
| Beates | Deane | Low | Slingerland |
| Benedict, T. E. | Dougherty | McAvoy | Steele |
| Bennett | Douglass | McCabe | Strait |
| Bradley | Duell | McCarthy | Tallmadge |
| Brennan | Duguid | McTernan | Terpeny |
| Bridges | Ellis | Miller | Terry |
| Brodsky | Ferris | Mitchell | Titus |
| Bullock | Fish | Newman | Tormey |
| Carpenter, I. S. | Flake | Nowlan | Tozier |
| Case | Fitzgerald | O'Brien | Travis |
| Catlin | Gibbs | O'Connor | Treanor |
| Chamberlain | Gillette | Peck | Tully |
| Chase | Gorsline | Phillips | Tuthill, H. H. |
| Chickering | Gray | Pitcher | Van Valkenburgh |
| Childs | Griggs | Potter | Walsh |
| Clark | Gwinup | Potts | Varnum |
| Clowes | Hagan | Rhodes | Waterbury |
| Cohen | Hayes | Roberts | Wells, J. L. |
| Comstock | Hoffman | Root | Weston |
| Congdon | Howland | Russell | Wiley |
| Cookinham | Hurd | Sanders | Wren |
| Costello | | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act for the relief of the Attica and Arcade Railroad Company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ A YES 99 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|--------------|----------|-----------|-------------|
| Alvord | Costello | Hurd | Sanders |
| Andrews | Crapsier | Husted | Seeley |
| Baker, B. F. | Cullinan | Ingersoll | Shuit |
| Baker, C. S. | Curtis | Kennedy | Sipp |
| Beach | Cushing | Lefever | Sisson |
| Beates | Davis | Liddle | Slingerland |

| | | | |
|------------------|------------|----------|-----------------|
| Benediot, T. E. | Deane | Low | Steele |
| Bennett | Douglass | McAvoy | Strait |
| Brennan | Duell | McCabe | Tallmadge |
| Bridges | Duguid | McCarthy | Terpeny |
| Brodsky | Ellis | Miller | Terry |
| Bullock | Fish | Newman | Titus |
| Carpenter, I. S. | Fiske | Nowlan | Travis |
| Case | Fitzgerald | O'Brien | Treanor |
| Catlin | Gibbs | O'Connor | Tully |
| Chamberlain | Gillette | Parker | Tuthill, H. H. |
| Chase | Gorsline | Peck | Van Valkenburgh |
| Chickering | Gray | Phillips | Varnum |
| Childs | Griggs | Pitcher | Warner |
| Clark | Gwinup | Potter | Waterbury |
| Clowes | Hagan | Potts | Wells, J. L. |
| Cohen | Havens | Rhodes | Weston |
| Comstock | Hayes | Roberts | Wiley |
| Congdon | Hoffman | Root | Wren |
| Cookinham | Howland | Russell | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act for the regulation of international exhibitions, held under the supervision and auspices of the Government of the United States within the State of New York, and preventing seizure of articles and goods deposited on exhibition thereat," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|-----------------|
| Alvord | Crapser | Ingersoll | Russell |
| Andrews | Oullinan | Kennedy | Sanders |
| Baker, B. F. | Curtis | Lefever | Seeley |
| Baker, C. S. | Cushing | Liddle | Sherman |
| Beach | Davis | Low | Shuit |
| Beates | Deane | McAvoy | Sipp |
| Bennett | Dougherty | McCabe | Sisson |
| Bradley | Douglass | McCarthy | Slingerland |
| Brennan | Duell | Mead | Steele |
| Bridges | Duguid | Miller | Tallmadge |
| Brodsky | Ellis | Mitchell | Terpeny |
| Bullock | Ferris | Newman | Terry |
| Carpenter, E. A. | Fish | Nowlan | Titus |
| Carpenter, I. S. | Flake | O'Brien | Travis |
| Catlin | Gorsline | O'Connor | Treanor |
| Chamberlain | Gray | Parker | Tuthill, H. H. |
| Chickering | Griggs | Peck | Van Valkenburgh |
| Clark | Gwinup | Phillips | Warner |
| Clowes | Havens | Pitcher | Waterbury |
| Cohen | Hayes | Potter | Wells, D. A. |
| Comstock | Hoffman | Potts | Wells, J. L. |
| Congdon | Howland | Rhodes | Weston |
| Cookinham | Hurd | Roberts | Wiley |
| Costello | Husted | Root | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to collect and preserve the waters in the upper Hudson river and its tributaries, and utilize the same for purposes of canal and river navigation in seasons of low water and drouth," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 70 }
{ NOES 33 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|----------|-----------------|
| Alvord | Cullinan | Low | Shuit |
| Andrews | Cushing | McAvoy | Tallmadge |
| Baker, B. F. | Deane | McCabe | Terpeny |
| Baker, C. S. | Dougherty | Mead | Terry |
| Beach | Evans | Morgan | Thilemann |
| Beates | Ferris | Nowlan | Titus |
| Benedict, E. D. | Gibbs | O'Brien | Tozier |
| Bennett | Gillette | O'Connor | Travis |
| Bradley | Gorsline | Phillips | Tuthill, H. H. |
| Brodsky | Gray | Potter | Van Valkenburgh |
| Bullock | Hagan | Potts | Varnum |
| Catlin | Hayes | Roberts | Walsh |
| Clark | Hurd | Russell | Warner |
| Clowes | Husted | Sanders | Waterbury |
| Comstock | Ingersoll | Shanley | Wells, J. L. |
| Congdon | Kennedy | Sheridan | Weston |
| Cookinham | Lefever | Sherman | Wren |
| Costello | Lindsay | | |

Those who voted in the negative, were

| | | | |
|------------------|---------|----------|-------------|
| Benedict, E. D. | Crapser | McDonald | Root |
| Brennan | Davis | McTernan | Seeley |
| Bridges | Ellis | Miller | Sipp |
| Carpenter, I. S. | Fish | Mitchell | Slingerland |
| Case | Fiske | Newman | Tormey |
| Chamberlain | Gwinup | Parker | Treanor |
| Chickering | Havens | Pitcher | Tully |
| Clancy | Hoffman | Rhodes | Wiley |
| Cohen | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the following bills:

"An act relating to leases of railroads and railroad property within the State."

"An act to amend chapter 332 of the Laws of 1875, entitled 'An act to amend chapter 810 of the Laws of 1874, entitled 'An act to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes in the several towns of the county of Westchester.'"

"An act to amend chapter 140 of the Laws of 1850, entitled 'An act

to authorize the formation of railroad corporations, and to regulate the same.”

“An act to provide for the payment of the salary and legal expenses of George W. Morton, an excise commissioner in the city of New York.”

“An act to incorporate the Supreme Council of Royal Templars of Temperance, and to provide for the organization of select councils, and a grand council for the State of New York.”

“An act to authorize the Equity Gas Light Company of the Eastern District of the city of Brooklyn, to change its name.”

“An act relative to the pay of policemen and firemen in the city of New York injured or disabled while in actual discharge of their duties.”

“An act to incorporate the Metropolitan Merchandise Loan Company.”

“An act to provide for the revision of the local and special laws affecting public interests in the city of New York.”

“An act to amend chapter 555 of the Laws of 1864, entitled ‘An act to revise and consolidate the general acts relating to public instruction.’”

“An act to provide for lights at the crossings of streets by elevated railroads in the city of New York.”

“An act to provide for the rebuilding of the market known as Jefferson market, in the city of New York.”

“An act to repeal chapter 109 of the Laws of 1880, entitled “An act to provide for the establishment of a union free school or schools within the corporate limits of the village of Cortland.”

“An act in relation to arrears of regular rents and charges for Croton water in the city of New York.”

A message was received from the Governor in words following :

STATE OF NEW YORK, EXECUTIVE CHAMBER, }
ALBANY, May 20, 1880. }

To the Assembly :

Pursuant to a joint resolution of the Senate and Assembly, Assembly bill No. 544, entitled “An act to prevent interference with owners and captains of steamers engaged in the towing business,” is herewith returned for amendment.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|----------|-----------|
| Alvord | Cushing | Lindsay | Sheridan |
| Andrews | Davis | Low | Sherman |
| Baker, B. F. | Deane | McAvoy | Shuit |
| Baker, C. S. | Dougherty | McCabe | Sipp |
| Beach | Douglass | McDonald | Tallmadge |
| Beates | Duell | McTernan | Terpeny |
| Benedict, E. D. | Evans | Mead | Terry |
| Bradley | Ferris | Miller | Thilemann |

| | | | |
|------------------|----------|----------|-----------------|
| Brennan | Fish | Mitchell | Titus |
| Bridges | Fiske | Morgan | Tozier |
| Brodsky | Gibbs | Newman | Travis |
| Bullock | Gorsline | Nowlan | Treanor |
| Carpenter, I. S. | Gray | Parker | Tully |
| Catlin | Gwinup | Phillips | Tuthill, H. H. |
| Chickering | Havens | Pitcher | Van Valkenburgh |
| Childs | Hayes | Potter | Warner |
| Clark | Hoffman | Potts | Waterbury |
| Clowes | Howland | Rhodes | Wells, D. A. |
| Cohen | Hurd | Root | Wells, J. L. |
| Comstock | Husted | Russell | Weston |
| Congdon | Kennedy | Sanders | Wiley |
| Cookinham | Lefever | Shanley | Wren |
| Costello | Liddle | | |

On motion of Mr. Sheridan, and by unanimous consent, said bill was amended in words following:

Insert, in line 14, of engrossed bill, after the word "pilotage" the words "or quarantine."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Costello | Liddle | Shanley |
| Andrews | Cushing | Lindsay | Sheridan |
| Baker, B. F. | Davis | Low | Shuit |
| Baker, C. S. | Deane | McAvoy | Sipp |
| Beach | Douglass | McCabe | Slingerland |
| Beates | Duguid | Mead | Tallmadge |
| Benedict, E. D. | Evans | Miller | Terry |
| Benedict, T. E. | Ferris | Mitchell | Thilemann |
| Bradley | Fish | Morgan | Titus |
| Brennan | Fiske | Newman | Tozier |
| Bridges | Gibbs | Nowlan | Travis |
| Brodsky | Gorsline | O'Brien | Treanor |
| Bullock | Gray | O'Connor | Tully |
| Carpenter, E. A. | Griggs | Parker | Tuthill, H. H. |
| Carpenter, I. S. | Gwinup | Phillips | Van Valkenburgh |
| Case | Hagan | Pitcher | Warner |
| Catlin | Hayes | Potter | Waterbury |
| Chamberlain | Hoffman | Potts | Wells, D. A. |
| Chickering | Howland | Roberts | Wells, J. L. |
| Clark | Husted | Root | Weston |
| Clowes | Ingersoll | Russell | Wiley |
| Cohen | Kennedy | Sanders | Wren |
| Cookinham | Lefever | Seeley | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

Senate bill entitled "An act to incorporate the Knights of the Maccabees of the World," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative,

a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 81 }
{ NOES 3 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Andrews | Dougherty | McAvoy | Sipp |
| Baker, B. F. | Douglass | McCabe | Tallmadge |
| Baker, C. S. | Duell | Mead | Terpeny |
| Beach | Duguid | Miller | Terry |
| Beates | Ferris | Mooers | Thilemann |
| Benedict, E. D. | Fish | Morgan | Titus |
| Benedict, T. E. | Fiske | Newman | Tozier |
| Brennan | Gibbs | Nowlan | Travis |
| Brodskey | Gorsline | O'Brien | Treanor |
| Bullock | Gray | Parker | Tully |
| Carpenter, E. A. | Griggs | Phillips | Tuthill, H. H. |
| Chamberlain | Hagan | Potter | Van Valkenburgh |
| Chickering | Hayes | Roberts | Varnum |
| Clark | Howland | Root | Warner |
| Clowes | Hurd | Russell | Waterbury |
| Cohen | Ingersoll | Sanders | Wells, D. A. |
| Comstock | Kennedy | Seeley | Wells, J. L. |
| Costello | Lefever | Shanley | Weston |
| Ourtis | Liddle | Sheridan | Wren |
| Davis | Lindsay | Shuit | Youngs |
| Deane | | | |

Those who voted in the negative, were

Bradley Evans Potts

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to legalize the official acts of Henry G. Woods as notary public," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|----------|----------------|
| Alvord | Costello | Lefever | Shanley |
| Andrews | Curtis | Liddle | Sherman |
| Baker, B. F. | Cushing | Lindsay | Shuit |
| Baker, C. S. | Davis | Low | Sipp |
| Beach | Deane | McAvoy | Slingerland |
| Beates | Duell | McCabe | Tallmadge |
| Benedict, E. D. | Duguid | Mead | Terpeny |
| Bennett | Evans | Miller | Terry |
| Bradley | Ferris | Mitchell | Thilemann |
| Bridges | Fish | Morgan | Titus |
| Brodskey | Fiske | Newman | Tozier |
| Bullock | Gibbs | Nowlan | Travis |
| Carpenter, E. A. | Gorsline | O'Brien | Treanor |
| Carpenter, I. S. | Gray | Parker | Tully |
| Catlin | Griggs | Phillips | Tuthill, H. H. |
| Chase | Gwinup | Potter | Warner |

| | | | |
|------------|-----------|---------|--------------|
| Chickering | Havens | Potts | Waterbury |
| Clancy | Hayes | Rhodes | Wells, D. A. |
| Clark | Hoffman | Roberts | Wells, J. L. |
| Clowes | Hurd | Root | Weston |
| Cohen | Husted | Russell | Wren |
| Comstock | Ingersoll | Sanders | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act relating to certain buildings erected for county purposes in, the city and county of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 104 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|-----------------|
| Alvord | Curtis | Husted | Russell |
| Andrews | Cushing | Ingersoll | Sanders |
| Baker, B. F. | Davis | Kennedy | Seeley |
| Baker, C. S. | Deane | Lefever | Sheridan |
| Beach | Dougherty | Liddle | Sherman |
| Beates | Douglass | Low | Shuit |
| Benedict, T. E. | Duell | McAvoy | Sipp |
| Bradley | Duguid | McCabe | Sisson |
| Brennan | Ellis | McCarthy | Slingerland |
| Bridges | Evans | McDonald | Steele |
| Brodsky | Ferris | Mead | Stratt |
| Carpenter, E. A. | Fish | Miller | Terpeny |
| Carpenter, I. S. | Fiske | Mitchell | Terry |
| Case | Fitzgerald | Newman | Thilemann |
| Chamberlain | Gibbs | Nowlan | Titus |
| Chase | Gillette | O'Brien | Tormey |
| Chickering | Gorsline | O'Connor | Tosier |
| Clark | Gray | Parker | Treanor |
| Clowes | Griggs | Peck | Tully |
| Cohen | Gwinup | Phillips | Van Valkenburgh |
| Comstock | Hagan | Pitcher | Walsh |
| Congdon | Havens | Potter | Warner |
| Cookinham | Hayes | Potts | Waterbury |
| Costello | Hoffman | Rhodes | Wells, J. L. |
| Crapser | Howland | Roberts | Weston |
| Oullinan | Hurd | Root | Youngs |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to repeal chapter 109 of the Laws of 1880, entitled 'An act to provide for the establishment of a union free school or schools within the corporate limits of the village of Cortland,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 98 }
{ NOES 3 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|----------------|
| Alvord | Congdon | Hurd | Rhodes |
| Andrews | Cookinham | Husted | Roberts |
| Baker, B. F. | Costello | Ingersoll | Root |
| Baker, C. S. | Crapser | Kennedy | Russell |
| Beach | Cullinan | Lefever | Sanders |
| Beates | Davis | Liddle | Seeley |
| Benedict, E. D. | Deane | Low | Shanley |
| Benedict, T. E. | Dougherty | McAvoy | Shuit |
| Bennett | Douglass | McCabe | Sipp |
| Bradley | Duell | McCarthy | Sisson |
| Brennan | Duguid | McDonald | Slingerland |
| Bridges | Ellis | Mead | Steele |
| Brodsky | Evans | Miller | Tallmadge |
| Bullock | Ferris | Mooers | Terpeny |
| Carpenter, E. A. | Fish | Morgan | Terry |
| Carpenter, I. S. | Fiske | Newman | Thilemann |
| Case | Gibbs | Nowlan | Tozier |
| Chamberlain | Gillette | O'Brien | Treanor |
| Chase | Gorsline | O'Connor | Tuthill, H. H. |
| Chickering | Gray | Peck | Walsh |
| Childs | Griggs | Phillips | Waterbury |
| Clark | Gwinup | Pitcher | Wells, J. L. |
| Clowes | Hayes | Potter | Weston |
| Cohen | Hoffman | Potts | Wren |
| Comstock | Howland | | |

Those who voted in the negative, were

| | | |
|---------|-------|--------|
| Sherman | Titus | Warner |
|---------|-------|--------|

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Sherman, from the committee on public education, to which was referred the Senate bill (introductory No. 590), entitled "An act to authorize the board of education of the city of New York to exchange lands used for school purposes in said city," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Evans, from the committee on internal affairs, to which was referred the Senate bill (introductory No. 247), entitled "An act to provide a police force for Coney Island, and to enforce the various provisions of law to protect the shores of Coney Island and the waters adjacent thereto, and the bay of New York, from being made foul or offensive," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Evans, from the committee on internal affairs, to which was referred the Senate bill (introductory No. 327), entitled "An act to authorize the bridge commissioners of the town of Chemung to borrow money to pay the existing indebtedness incurred in building a bridge over the Chemung river, in the town of Chemung, in the county of Chemung," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Hoffman, and by unanimous consent, said bill was ordered to a third reading.

The bill entitled "An act to amend chapter 519 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 96 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|-----------------|
| Alvord | Cullinan | Husted | Russell |
| Andrews | Curtis | Ingersoll | Sanders |
| Bakef, B. F. | Davis | Kennedy | Seeley |
| Baker, C. S. | Deane | Lefever | Sherman |
| Beach | Dougherty | Liddle | Shuit |
| Beates | Douglass | Low | Sipp |
| Bradley | Duell | McAvoy | Sisson |
| Brennan | Duguid | McCabe | Slingerland |
| Bridges | Evans | McCarthy | Steele |
| Brodsky | Ferris | Miller | Strait |
| Bullock | Fish | Mitchell | Tallmadge |
| Carpenter, E. A. | Fiske | Mooers | Terpeny |
| Carpenter, I. S. | Fitzgerald | Newman | Terry |
| Case | Gibbs | Nowlan | Thilemann |
| Chamberlain | Gillette | O'Brien | Titus |
| Chickering | Gorsline | O'Connor | Tozier |
| Childs | Gray | Peck | Travis |
| Clark | Griggs | Phillips | Treanor |
| Clowes | Gwinup | Pitcher | Tully |
| Cohen | Hagan | Potter | Van Valkenburgh |
| Comstock | Hayes | Potts | Waterbury |
| Congdon | Hoffman | Rhodes | Weston |
| Cookinham | Howland | Roberts | Wren |
| Crapser | Hurd | Root | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senata Concurrent Resolutions "Proposing an amendment to section 12 of article 6 of the Constitution," were read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said Concurrent Resolutions, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|----------|-------------|
| Alvord | Dougherty | Lindsay | Seeley |
| Andrews | Douglass | Low | Shanley |
| Baker, B. F. | Duell | McAvoy | Sheridan |
| Baker, C. S. | Duguid | McCabe | Sherman |
| Beates | Evans | McCarthy | Shuit |
| Benediot, E. D. | Ferris | McDonald | Sipp |
| Bennett | Fish | Miller | Sisson |
| Brennan | Ferris | Mooers | Slingerland |
| Bridges | Gibbs | Morgan | Steele |
| Brodsky | Gillette | Newman | Terpeny |
| Bullock | Gorsline | Nowlan | Terry |

| | | | |
|------------------|-----------|----------|----------------|
| Carpenter, E. A. | Gray | O'Brien | Titus |
| Carpenter, I. S. | Griggs | O'Connor | Tozier |
| Chase | Hayes | Parker | Travis |
| Chickering | Hoffman | Phillips | Treanor |
| Ohilds | Howland | Pitcher | Tully |
| Clowes | Hurd | Potter | Tuthill, H. H. |
| Comstock | Husted | Potts | Waterbury |
| Congdon | Ingersoll | Roberts | Wells, J. L. |
| Cookinham | Kennedy | Root | Weston |
| Davis | Lefever | Russell | Wiley |
| Deane | Liddle | Sanders | Wren |

Ordered, That the Clerk return said Concurrent Resolutions to the Senate, with a message informing of concurrence therein.

Senate bill entitled "An act to extend the operation and effect of the act passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,'" being announced for a third reading,

Mr. Travis moved to recommit said bill to the committee on commerce and navigation, with instructions to amend the same in words following:

Add at end of section 2: "But this act shall not be construed so as to authorize any such corporation to reclaim or in any way whatever to interfere with the reef commonly known as Robbins' reef, or any part thereof, or within 500 feet of said reef."

Mr. Fiske moved to recommit said bill to the committee on commerce and navigation, with instructions to substitute for said amendment of Mr. Travis' the following:

Section 3. This act shall not apply to any lands under water in or adjacent to the bay or harbor of the city of New York.

Mr. Speaker put the question whether the House would agree to the motion of Mr. Fiske, and it was determined in the affirmative.

{ AYES 52 }
{ NOES 19 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Beach | Congdon | Gwinup | Potts |
| Bradley | Cookinham | Hoffman | Sanders |
| Brennan | Costello | Kennedy | Seeley |
| Brodsky | Curtis | Low | Shuit |
| Bullock | Cushing | McAvoy | Sipp |
| Carpenter, E. A. | Deane | McDonald | Slingerland |
| Carpenter, I. S. | Duguid | Miller | Terpeny |
| Chamberlain | Evans | Mitchell | Thilemann |
| Ohickering | Ferris | Mooers | Treanor |
| Clancy | Fish | Nowlan | Tuthill, H. H. |
| Clark | Fiske | Parker | Varnum |
| Clowes | Fitzgerald | Phillips | Waterbury |
| Cohen | Gorsline | Potter | Wells, J. L. |

Those who voted in the negative, were

| | | | |
|-----------------|----------|-----------|--------|
| Alvord | Liddle | Sheridan | Tozier |
| Baker, B. F. | Newman | Sherman | Tully |
| Benedict, E. D. | O'Connor | Tallmadge | Walsh |
| Crapser | Root | Terry | Wren |
| Lefever | Shanley | Tormey | |

Mr. Duguid, from the committee on commerce and navigation, reported said bill back, amended as instructed by the House.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths of said members being present.

{ AYES 27 }
{ NOES 57 }

Those who voted in the affirmative, were

| | | | |
|-----------------|----------|----------|--------|
| Alvord | Comstock | McCarthy | Tormey |
| Baker, B. F. | Costello | McTernan | Tozier |
| Benedict, E. D. | Davis | Newman | Travis |
| Benedict, T. E. | Gwinup | Parker | Tully |
| Clancy | Havens | Shanley | Walsh |
| Clowes | Lefever | Sheridan | Youngs |
| Cohen | Liddle | Terry | |

Those who voted in the negative, were

| | | | |
|------------------|------------|----------|----------------|
| Beach | Curtis | Lindsay | Root |
| Bennett | Cushing | Low | Seeley |
| Bradley | Deane | McAvoy | Sipp |
| Brennan | Dougherty | McDonald | Slingerland |
| Brodsky | Douglass | Miller | Strait |
| Bullock | Duguid | Mitchell | Tallmadge |
| Carpenter, E. A. | Fish | Mooers | Terpeny |
| Carpenter, I. S. | Fiske | Morgan | Thilemann |
| Chamberlain | Fitzgerald | Nowlan | Treanor |
| Chickering | Gorsline | O'Connor | Tuthill, H. H. |
| Childs | Griggs | Potter | Varnum |
| Clark | Grosse | Potts | Waterbury |
| Congdon | Hagan | Rhodes | Wells, J. L. |
| Cookinham | Hoffman | Roberts | Mr. Speaker |
| Crapsier | | | |

Mr. Travis moved to reconsider the vote by which said bill was lost, and that the motion do lay upon the table.

Mr. Speaker put the question whether the House would agree to lay said motion to reconsider on the table, and it was determined in the affirmative.

By unanimous consent,

Mr. Case introduced a bill entitled "An act to legalize the official acts and proceedings of Daniel McWilliams and Elisha Steele, as commissioners of excise of the town of East Bloomfield, in the county of Ontario," which was read the first time, and by unanimous consent was also read the second time.

Mr. Case moved to lay all order of business on the table for the purpose of taking up order of business general orders, and considering the above-named bill.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to legalize the official act and proceedings of Daniel McWilliams and Elisha Steele, as commissioners of excise of the town of East Bloomfield in the county of Ontario."

And after some time spent therein, Mr. Speaker resumed the chair,

and Mr. Chickering, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Alvord moved to discharge the committee of the whole from the further consideration of said bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The committee of conference appointed by the Senate and Assembly in relation to Assembly bill No. 69, entitled "An act to amend subdivision 1 of section 9 of article 2, title 4, chapter 6, part 1 of the Revised Statutes in relation to elections and ballots," having met and considered the same, have agreed to recommend that the Assembly concur in amendments made by the Senate to the title of the bill, viz.: That such title be amended so as to read as follows: "An act to amend title 4, chapter 6, part 1 of the Revised Statutes, entitled 'Of the manner of conducting elections.'"

That section 1 be changed so as to read as follows:

Section 1, subdivision 1 of section 9, article 2, title 4, chapter 6, part 1 of the Revised Statutes is hereby amended so as to read as follows:

Section 1. The names of all persons voted for by any elector at any election, in whose election all of the voters of the State have the right alike to participate, except electors of President and Vice-President, and chief judge, and associate judges of the Court of Appeals, shall be upon one ballot, which ballot shall be indorsed "State." The names of all persons voted for by any elector at any election for chief judge and associate judge of the Court of Appeals, justices of the Supreme Court, county judge, separate officers to perform the duties of surrogate, local officers to perform the duties of county judges and surrogate, and all other judges or justices, except such as are elected in and for a district which comprises less than an entire county (or city whose boundaries are co-terminous with those of a county), shall be upon one ballot, which ballot shall be indorsed "judiciary." The names of the persons voted for by any elector at any election for any local office, in whose election all of the voters of a county have the right alike to participate, except representatives in Congress, senators, and members of Assembly, shall be upon one ballot, which ballot shall be indorsed "county;" but where the boundaries of a city and county shall be co-terminous then all city or county officers, in whose election all the voters of said city and county have the right alike to participate, except judges or justices as aforesaid, shall be upon one ballot, which ballot shall be indorsed "city and county."

That section 2 be amended as follows: After the word "county," in the 8th line of the printed bill, insert the words "or city and county."

At the end of the section add the following: "At any election at which any officers are to be voted for, upon ballots not otherwise in this section provided for, there shall be provided as many additional boxes as there are additional kinds of ballots required."

That section 3 be amended so as to read as follows, viz.:

§ 3. So much of chapter 675 of the Laws of 1872, entitled "An act in relation to elections in the city and county of New York, and to provide for ascertaining by proper proofs the citizens who shall be entitled to the right of suffrage thereat," as is inconsistent with the pro-

visions of this act, and all other acts or parts of acts inconsistent with the provisions of this act, are hereby repealed.

All of which are respectfully submitted.

ROBERT H. STRAHAN,
EDWIN G. HALBERT,
Senate Committee.

DANIEL LINDSAY,
JAMES M. VARNUM,
CHARLES H. RUSSELL,
P. W. CULLINAN,
H. C. HOFFMAN,
Assembly Committee.

Mr. Shanley moved to disagree with the conference committee report, and asked the appointment of a new conference committee on said bill, and request a like committee on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 26 }
{ NOES 75 }

Those who voted in the affirmative, were.

| | | | |
|-----------------|------------|----------|-----------|
| Benedict, T. E. | Fitzgerald | O'Connor | Thilemann |
| Bennett | Gibbs | Parker | Tormey |
| Clancy | Havens | Rhodes | Treanor |
| Cohen | McAvoy | Russell | Tully |
| Costello | McCarthy | Shanley | Walsh |
| Cushing | McDonald | Terpeny | Wiley |
| Dougherty | Newman | | |

Those who voted in the negative, were

| | | | |
|------------------|-----------|-----------|-----------------|
| Alvord | Cookinham | Hurd | Seeley |
| Baker, B. F. | Crapsier | Husted | Sherman |
| Baker, C. S. | Cullinan | Ingersoll | Shuit |
| Beach | Curtis | Kennedy | Sipp |
| Beates | Davis | Lefever | Slingerland |
| Bradley | Deane | Liddle | Steele |
| Brennan | Douglass | Lindsay | Tallmadge |
| Bridges | Duell | Low | Titus |
| Brodsky | Duguid | McCabe | Tozier |
| Bullock | Evans | Miller | Travis |
| Carpenter, E. A. | Ferris | Mitchell | Tuthill, H. H. |
| Carpenter, I. S. | Fish | Moers | Van Valkenburgh |
| Case | Gorsline | Morgan | Varnum |
| Chamberlain | Gray | Nowlan | Waterbury |
| Chickering | Grosse | Phillips | Wells, J. L. |
| Childs | Gwinup | Pitcher | Weston |
| Clark | Hayes | Potts | Wren |
| Comstock | Hoffman | Roberts | Youngs |
| Congdon | Howland | Root | |

Mr. Varnum moved to concur in the report of the committee of conference.

Mr. Speaker put the question whether the House would agree to the motion to concur in said report of the conference committee, and it was determined in the affirmative.

{ AYES 70 }
{ NOES 25 }

Those who voted in the affirmative, were

| | | | |
|--------------|----------|---------|---------|
| Alvord | Cullinan | Lefever | Sherman |
| Baker, B. F. | Curtis | Liddle | Shuit |

| | | | |
|------------------|-----------|----------|-----------------|
| Beach | Davis | Lindsay | Sipp |
| Beates | Deane | Low | Slingerland |
| Bradley | Douglass | McCabe | Steele |
| Brennan | Duell | Miller | Tallmadge |
| Bridges | Duguid | Mitchell | Terry |
| Brodsky | Evans | Mooers | Titus |
| Bullock | Fish | Nowlan | Travis |
| Carpenter, E. A. | Gorsline | Phillips | Tuthill, H. H. |
| Carpenter, I. S. | Gray | Pitcher | Van Valkenburgh |
| Chickering | Hayes | Potts | Varnum |
| Childs | Hoffman | Roberts | Waterbury |
| Clark | Howland | Root | Wells, D. A. |
| Clowes | Hurd | Russell | Wells, J. L. |
| Comstock | Husted | Sanders | Weston |
| Congdon | Ingersoll | Seeley | Wren |
| Cookinham | Kennedy | | |

Those who voted in the negative, were

| | | | |
|-----------------|------------|----------|-----------|
| Benedict, T. E. | Dougherty | McDonald | Terpeny |
| Bennett | Fitzgerald | McTernan | Thilemann |
| Catlin | Gibbs | Newman | Tormey |
| Clancy | Havens | Parker | Treanor |
| Cohen | McAvoy | Rhodes | Walsh |
| Costello | McCarthy | Shanley | Wiley |
| Cushing | | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have agreed to the report of the conference committee thereon.

A message from the Senate was received and read informing of concurrence in the resolutions recalling from the Governor, for amendment, the following bills:

Assembly bill entitled "An act to prevent interference with owners and captains of steamers engaged in the towing business."

Assembly bill No. 23, general orders No. 21, entitled "An act to regulate voting by stock and bondholders of railroad corporations."

Assembly bill No. 459, entitled "An act to provide for the taxation of life insurance companies."

Assembly bill No. 673, entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages.'"

Assembly bills Nos. 107, 376, 436 and 509, entitled, respectively, "An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game;'" "An act to amend section 37, chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish, and other game, passed June 20, 1879;'" "An act to amend an act entitled 'An act for the preservation of moose, wild deer, birds, fish and other game, passed June 20, 1879;'" "An act to prevent fishing with nets in a part of the waters of Lake Ontario," for amendment and consolidation.

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned Assembly bill entitled "An act in relation to 107th street, between 5th and 6th avenues, in the city of New York."

Ordered, That the Clerk deliver said bill to the Governor.

The hour of seven having arrived, the House adjourned until tomorrow morning.

FRIDAY MORNING, MAY 21, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Foster Ely, of Lockport.

The journal of yesterday was read and approved.

Mr. Bradley offered for the consideration of the House a privileged resolution in the words following:

Resolved, That when this House adjourns to-day, it will adjourn to meet on Monday at 8 P. M.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

{ AYES 55 }
{ NOES 43 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|--------------|
| Andrews | Cushing | Lindsay | Sipp |
| Baker, C. S. | Deane | Low | Sisson |
| Beach | Duguid | McAvoy | Slingerland |
| Benedict, E. D. | Eyans | McCabe | Terry |
| Bradley | Ferris | McTernan | Titus |
| Brodsky | Fish | Miller | Tormey |
| Carpenter, I. S. | Fitzgerald | Morgan | Travis |
| Catlin | Gorsline | O'Connor | Treanor |
| Chase | Gray | Peck | Tully |
| Childs | Groase | Pitcher | Waterbury |
| Clancy | Hagan | Rhodes | Wells, J. L. |
| Cohen | Hoffman | Root | Weston |
| Costello | Howland | Russell | Youngs |
| Cullinan | Hurd | Sherman | |

Those who voted in the negative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Comstock | Kennedy | Seeley |
| Beates | Cookinham | Lefever | Shanley |
| Benedict, T. E. | Crapser | Mead | Sheridan |
| Bennett | Curtis | Mooers | Tallmadge |
| Bridges | Davis | Nowlan | Terpeny |
| Bullock | Dougherty | O'Brien | Tozier |
| Carpenter, E. A. | Fiske | Parker | Tuthill, H. H. |
| Case | Gwinup | Phillips | Wells, D. A. |
| Chickering | Havens | Potts | Wren |
| Clark | Hayes | Roberts | Mr. Speaker |
| Clowes | Ingersoll | Sanders | |

On motion of Mr. Newman, in behalf of Mr. Case, and by unanimous consent, Assembly bill entitled "An act to legalize the official acts and proceedings of Daniel McWilliams and Elisha Steele, as commissioners of excise of the town of East Bloomfield, in the county of Ontario," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|---------|-----------|---------|----------|
| Alvord | Cookinham | Lindsay | Shanley |
| Andrews | Costello | Low | Sheridan |

| | | | |
|------------------|------------|----------|----------------|
| Baker, C. S. | Crapser | McAvoy | Sherman |
| Beach | Cullinan | McCabe | Sipp |
| Beates | Cushing | McTernan | Sisson |
| Benedict, E. D. | Davis | Mead | Tallmadge |
| Bennett | Deane | Miller | Terpeny |
| Bradley | Duguid | Moors | Terry |
| Brennan | Evans | Newman | Titus |
| Bridges | Fish | Nowlan | Tormey |
| Brodsky | Fiske | O'Brien | Tozier |
| Bullock | Fitzgerald | O'Connor | Travis |
| Carpenter, E. A. | Gorsline | Parker | Treanor |
| Carpenter, I. S. | Gray | Peck | Tully |
| Case | Griggs | Phillips | Tuthill, H. H. |
| Catlin | Gwinup | Pitcher | Warner |
| Chase | Havens | Potts | Waterbury |
| Childs | Hayes | Rhodes | Wells, D. A. |
| Clark | Howland | Roberts | Wells, J. L. |
| Clowes | Hurd | Root | Weston |
| Cohen | Ingersoll | Russell | Wren |
| Comstock | Kennedy | Seeley | Youngs |
| Congdon | Lefever | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence the following bills:

"An act making an appropriation for repairs to the State arsenal at Albany, and the military property stored therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia.

"An act for the relief of the Emigrant Industrial Savings Bank of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act for the better laying out and improving of that portion of the city of New York, between 10th avenue and Avenue St. Nicholas and 138th street continued, and the lands of the Academy of the Sacred Heart and 135th street continued," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Dougherty, and by unanimous consent, said bill was substituted for Assembly bill on same subject.

"An act to increase the compensation of the justices of the Supreme Court of the third judicial district of this State, and to levy the same upon the counties comprising said district," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to provide for the publication of a list of regular physicians in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

"An act to extend the operation and effect of chapter 40 of the Laws of 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes, and the acts amending and extending the same,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

"An act in relation to the clerk and register of deeds of the city and county of New York," which was read the first time, and by unani-

mous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to authorize the improvement of Riverside park and certain other parks or places in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act enabling any corporation created by act of Congress of the United States to acquire, hold, use and improve real estate for the purposes of an international exhibition," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 824 of the Laws of 1873, entitled 'An act to amend section 19 of chapter 570 of the Laws of 1872, entitled 'An act to ascertain, by proper proofs, the citizens who shall be entitled to the right of suffrage in the State of New York, except in the city and county of New York, and the city of Brooklyn, and to repeal chapter 572 of the Laws of 1871, entitled 'An act to amend an act entitled 'An act in relation to elections in the city and county of New York,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 398 of the Laws of 1871, entitled 'An act in relation to the improvement of the 1st avenue in the city of New York,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to amend chapter 461 of the Laws of 1869, entitled 'An act to incorporate the Chapin Home for the Aged and Infirm in the city of New York,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act establishing the salary of county judge of the county of Niagara," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to provide for the taxation of banks and of moneyed capital engaged in the business of banking, receiving deposits, or otherwise," which was read the first time, and by unanimous consent was also read the second time, and referred to the special committee on taxation.

"An act to amend chapter 320 of the Laws of 1859, entitled 'An act to amend the incorporation of the village of Lancaster, in the county of Erie,' " which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hurd, and by unanimous consent, said bill was substituted for Assembly bill on same subject.

"An act for the relief of John C. Ham," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to amend chapter 253 of the Laws of 1877, entitled 'An act to amend chapter 107 of the Laws of 1877, entitled 'An act in relation to the Superintendent of State Prisons, and for the more efficient and economical management of said prisons,' " which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Tallmadge, and by unanimous consent, said bill was substituted for Assembly bill No. 512 on same subject.

The committee of conference to which was referred the matter of difference between the two Houses respecting Senate bill No. 137, entitled "An act to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn, and the various amendments thereof,' report as follows :

The Assembly recedes from their amendment, striking out the following words in section 1, viz.: "Cartmen, truckmen, cabmen, expressmen;" also, the words "vehicles of every description used on the public streets in the conduct or carrying on of any business established and transacted in said city."

The following amendments were also agreed to, viz.: Insert after the word "business," in line 19, the words "except that of physicians;" also, after the word "city," same line, the words "provided that the license fee charged for any one vehicle shall not exceed three dollars per year;" also, insert in the same section, as amended by the Assembly, the word "average" before the word "number" wherever occurring.

The second section, as amended by the Assembly, was agreed to. Messrs. Murtha and Shanley dissenting.

All of which is respectfully submitted.

F. A. SCHROEDER,
A. M. MILLS,
W. H. MURTHA,
Senate committee.

DAVID LINDSAY,
E. A. CARPENTER,
A. C. COMSTOCK,
JOHN SHANLEY,
CHARLES H. RUSSELL,
Assembly committee.

Mr. Shanley moved to disagree with the report of the committee of conference, and that a new conference committee be appointed on the part of the House and request a like committee on the part of the Senate.

After debate,

Mr. E. A. Carpenter moved the previous question.

Mr. Speaker put the question "Shall the main question now be put?" and it was determined in the affirmative.

{ AYES 65 }
{ NOES 29 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|----------------|
| Alvord | Congdon | Ingersoll | Sherman |
| Baker, B. F. | Cookinham | Lefever | Shuit |
| Baker, C. S. | Crapser | Liddle | Sisson |
| Beach | Cullinan | Low | Slingerland |
| Beates | Curtis | Miller | Terry |
| Bradley | Davis | Mitchell | Tozier |
| Bridges | Deane | Mooers | Travis |
| Brodsky | Duguid | Morgan | Tuthill, H. H. |
| Bullock | Evans | Nowlan | Varnum |
| Carpenter, E. A. | Ferris | Peck | Warner |
| Carpenter, I. S. | Fish | Pitcher | Waterbury |
| Chamberlain | Gorsline | Potts | Wells, D. A. |
| Chase | Griggs | Roberts | Wells, J. L. |
| Chickering | Hayes | Root | Wren |
| Childs | Howland | Russell | Youngs |
| Clark | Hurd | Seeley | Mr. Speaker |
| Comstock | | | |

Those who voted in the negative, were

| | | | |
|-----------------|------------|----------|-----------|
| Benedict, E. D. | Fitzgerald | McCarthy | Shanley |
| Benedict, T. E. | Gibbs | McDonald | Sheridan |
| Catlin | Grosse | McTernan | Thilemann |
| Clancy | Gwinup | Mead | Tormey |
| Cohen | Havens | Newman | Treanor |
| Costello | Hoffman | Parker | Tully |
| Cushing | McAvoy | Rhodes | Walsh |
| Dougherty | | | |

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Shanley, and it was determined in the negative.

{ AYES 27 }
{ NOES 57 }

Those who voted in the affirmative, were

| | | | |
|-----------------|------------|----------|-----------|
| Benedict, E. D. | Fitzgerald | McDonald | Thilemann |
| Benedict, T. E. | Gibbs | McTernan | Tormey |
| Bennett | Grosse | Mead | Treanor |
| Clancy | Gwinup | Newman | Tully |
| Cohen | Havens | O'Connor | Walsh |
| Costello | Hoffman | Rhodes | Wiley |
| Cushing | McAvoy | Shanley | |

Those who voted in the negative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Congdon | Liddle | Sanders |
| Beach | Cookinham | Lindsay | Sherman |
| Beates | Curtis | McCabe | Sisson |
| Bradley | Deane | Miller | Slingerland |
| Bridges | Duguid | Mitchell | Terry |
| Bullock | Evans | Mooers | Titus |
| Carpenter, E. A. | Ferris | Morgan | Travis |
| Carpenter, I. S. | Fish | Nowlan | Tuthill, H. H. |
| Catlin | Gillette | Phillips | Varnum |
| Chamberlain | Gorsline | Pitcher | Warner |
| Chase | Griggs | Potts | Waterbury |
| Chickering | Hurd | Roberts | Wells, D. A. |
| Childs | Husted | Root | Wells, J. L. |
| Clark | Ingersoll | Russell | Wren |
| Comstock | | | |

Mr. Speaker then put the question whether the House would concur in the report of said conference committee, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 72 }
{ NOES 27 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|-------------|
| Alvord | Comstock | Husted | Seeley |
| Baker, B. F. | Congdon | Ingersoll | Sherman |
| Baker, C. S. | Cookinham | Lefever | Shuit |
| Beach | Crapser | Liddle | Sisson |
| Beates | Cullinan | Lindsay | Slingerland |
| Bradley | Curtis | Low | Tallmadge |
| Bridges | Davis | McCabe | Terry |
| Brodsky | Deane | Miller | Titus |
| Bullock | Duguid | Mitchell | Tozier |
| Carpenter, E. A. | Evans | Mooers | Travis |

| | | | |
|------------------|----------|---------|----------------|
| Carpenter, I. S. | Ferris | Morgan | Tuthill, H. H. |
| Case | Fish | Nowlan | Varnum |
| Chamberlain | Gorsline | Peck | Warner |
| Chase | Gray | Pitcher | Wells, D. A. |
| Chickering | Griggs | Potts | Wells, J. L. |
| Childs | Hayes | Roberts | Weston |
| Clancy | Howland | Root | Wren |
| Clark | Hurd | Russell | Youngs |

Those who voted in the negative, were

| | | | |
|-----------------|------------|----------|---------|
| Benedict, E. D. | Dougherty | Hoffman | Parker |
| Benedict, T. E. | Fitzgerald | McAvoy | Rhodes |
| Bennett | Gibbs | McDonald | Shanley |
| Catlin | Grosse | McTernan | Tully |
| Cohen | Gwinup | Mead | Walsh |
| Costello | Hagan | Newman | Wiley |
| Cushing | Havens | O'Connor | |

Ordered, That the Clerk return said bill to the Senate with a message informing that the Assembly have concurred in the report of the conference committee thereon.

The Senate returned the bill entitled "An act in relation to the sale and conveyance of any interest in real estate belonging to lunatics or idiots or habitual drunkards," with a message that they had passed the same, with the following amendments:

Strike out all after the enacting clause and insert as follows:

Section 1. The court of common please in and for the city and county of New York, or any judge thereof may, on application of Catharine M. Noonan, committee of Margaret Noonan, an idiot, authorize and direct the filing of a bond by her, as such committee, in conformity with the requirements of section 2 of chapter 417 of the Laws of 1864. Such bond to be filed as of November 22, 1871, the date of the application of said Catharine M. Noonan for leave to sell or dispose of the real estate of said Margaret Noonan, an idiot, which bond and all subsequent orders and decrees on the application to sell or dispose of the real estate of Margaret Noonan, an idiot, subsequent to the date of such application, shall have the like force and effect as if such bond had been directed by the court and duly executed and filed by the said Catharine M. Noonan, as committee of Margaret Noonan, an idiot, at the date of the aforesaid application.

§ 2. This act shall take effect immediately.

Amend title so as to read as follows:

"An act in relation to the real estate of Margaret Noonan, an idiot."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative.

{ AYES 77 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|----------|-------------|
| Alvord | Davis | McAvoy | Shuit |
| Baker, B. F. | Deane | McCabe | Sisson |
| Baker, O. S. | Dougherty | McCarthy | Slingerland |
| Beach | Douglass | Miller | Steele |
| Beates | Duguid | Mooers | Tallmadge |
| Benedict, E. D. | Evans | Morgan | Terry |
| Bridges | Ferris | Newman | Tormey |
| Brodsky | Fish | Nowlan | Tozier |
| Bullock | Gillette | Peck | Travis |

| | | | |
|------------------|-----------|----------|----------------|
| Carpenter, E. A. | Gorsline | Pitcher | Tuthill, H. H. |
| Carpenter, I. S. | Hayes | Potts | Varnum |
| Case | Hurd | Roberts | Warner |
| Catlin | Husted | Root | Waterbury |
| Clark | Ingersoll | Russell | Wells, D. A. |
| Comstock | Kennedy | Sanders | Wells, J. L. |
| Cookinham | Lefever | Seeley | Weston |
| Costello | Liddle | Shanley | Wiley |
| Cullinan | Lindsay | Sheridan | Wren |
| Curtis | Low | Sherman | Youngs |
| Cushing | | | |

Those who voted in the negative, were
Grosse

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

A message was received from the Governor in the words following :

STATE OF NEW YORK, EXECUTIVE CHAMBER, }
ALBANY, May 20, 1880. }

To the Assembly :

In pursuance of a joint resolution of the Senate and Assembly, Assembly bill No. 459, entitled "An act to provide for the taxation of life insurance companies," is herewith returned for amendment.

ALONZO B. CORNELL

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|----------------|
| Alvord | Cullinan | Howland | Root |
| Baker, B. F. | Curtis | Hurd | Russell |
| Baker, C. S. | Davis | Husted | Sanders |
| Beach | Deane | Ingersoll | Seeley |
| Beates | Dougherty | Kennedy | Sherman |
| Benedict, E. D. | Douglass | Lefever | Shuit |
| Bradley | Duell | Liddle | Sipp |
| Brennan | Duguid | Lindsay | Sison |
| Bridges | Ellis | Low | Slingerland |
| Brodsky | Evans | McAvoy | Steele |
| Bullock | Ferris | McDonald | Tallmadge |
| Carpenter, E. A. | Fish | Miller | Terpeny |
| Carpenter, I. S. | Fiske | Mitchell | Titus |
| Catlin | Fitzgerald | Mooers | Tozier |
| Chamberlain | Gibbs | Morgan | Travis |
| Chase | Gillette | Nowlan | Tuthill, H. H. |
| Chickering | Gorsline | O'Brien | Varnum |
| Childs | Gray | Peck | Warner |
| Clark | Griggs | Phillips | Waterbury |
| Clowes | Gwinup | Pitcher | Wells, D. A. |
| Comstock | Hayes | Potts | Wells, J. L. |
| Congdon | Hoffman | Roberts | Weston |
| Cookinham | | | |

On motion of Mr. Steele, and by unanimous consent, said bill was amended in words following :

Section 1. Strike out all after the words "this State" in line 2 to and including the words "this State" in line 3; line 6, after the word "income," insert the words "exclusive of rents;" line 7, after the word "company," strike out the words "from business transacted" and insert the words "from persons residing in, or investments made;" line 9, strike out all after the word "money."

Section 2, in line 4, after the word "premiums" insert the words "interest and other income," and after the word "company" insert the words "from residents or investments made." Strike out all down to and including the words "forfeited and," in line 6, and insert the following: "If any officer of any life insurance company, required by the preceding section to make and execute a return, shall refuse or willfully neglect to make or execute the same, such officer shall be guilty of a misdemeanor, and any such officer who in such return shall make a willfull false statement shall be subject to the pains and penalties of perjury;" line 11, strike out the words "such sums forfeited as aforesaid and."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Cookinham | Lindsay | Sheridan |
| Andrews | Cullinan | Low | Sherman |
| Baker, B. F. | Curtis | McAvoy | Shuit |
| Baker, C. S. | Davis | McCabe | Sipp |
| Beach | Deane | Miller | Sisson |
| Beates | Douglass | Mooers | Slingerland |
| Bradley | Duell | Morgan | Steele |
| Brennan | Duguid | Newman | Tallmadge |
| Bridges | Evans | Nowlan | Terry |
| Brodsky | Ferris | O'Brien | Titus |
| Bullock | Fish | Peck | Tozier |
| Carpenter, E. A. | Fitzgerald | Phillips | Travis |
| Carpenter, I. S. | Gorsline | Pitcher | Tully |
| Case | Griggs | Potter | Tuthill, H. H. |
| Chamberlain | Gwinup | Potts | Warner |
| Chase | Hoffman | Roberts | Waterbury |
| Chickering | Howland | Root | Wells, D. A. |
| Childs | Hurd | Russell | Wells, J. L. |
| Clark | Ingersoll | Sanders | Weston |
| Clowes | Kennedy | Seeley | Wren |
| Comstock | Lefever | Shanley | Youngs |
| Congdon | Liddle | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

Mr. E. A. Carpenter moved to reconsider the vote by which Senate bill entitled "An act to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn, and the various amendments thereof,'" was passed.

Mr. E. A. Carpenter moved the previous question.

Mr. Speaker put the question, "Shall the main question now be put?" and it was determined in the affirmative.

{ AYES 79 }
{ NOES 28 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Congdon | Lefever | Sherman |
| Baker, B. F. | Cookinham | Liddle | Shuit |
| Baker, C. S. | Cullinan | Lindsay | Sipp |
| Beach | Davis | Low | Sisson |
| Beates | Deane | McCabe | Slingerland |
| Bradley | Douglass | Miller | Tallmadge |
| Brennan | Duguid | Moore | Terry |
| Bridges | Evans | Morgan | Titus |
| Brodsky | Ferris | Nowlan | Tozier |
| Bullock | Fish | O'Brien | Travis |
| Carpenter, E. A. | Gillette | Peck | Tuthill, H. H. |
| Carpenter, I. S. | Gorsline | Phillips | Varnum |
| Case | Gray | Pitcher | Warner |
| Chamberlain | Griggs | Potter | Waterbury |
| Chase | Hayes | Potts | Wells, D. A. |
| Chickering | Howland | Roberts | Wells, J. L. |
| Childs | Hurd | Root | Weston |
| Clark | Husted | Russell | Wren |
| Clowes | Ingersoll | Sanders | Mr. Speaker |
| Comstock | Kennedy | Seeley | |

Those who voted in the negative, were

| | | | |
|-----------------|------------|----------|-----------|
| Benedict, E. D. | Dougherty | McCarthy | Shanley |
| Bennett | Fitzgerald | McDonald | Sheridan |
| Catlin | Gibbs | McTernan | Thilemann |
| Clancy | Hagan | Mead | Tormey |
| Cohen | Havens | Newman | Treanor |
| Costello | Hoffman | O'Connor | Tully |
| Cushing | McAvoy | Rhodes | Walsh |

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths of said members being present.

{ AYES 29 }
{ NOES 84 }

Those who voted in the affirmative, were

| | | | |
|-----------------|------------|----------|---------|
| Benedict, T. E. | Fitzgerald | McCarthy | Shanley |
| Bennett | Gibbs | McDonald | Strait |
| Catlin | Grosse | McTernan | Tormey |
| Clancy | Gwinup | Newman | Treanor |
| Cohen | Havens | O'Connor | Tully |
| Costello | Hoffman | Parker | Walsh |
| Cushing | McAvoy | Rhodes | Wiley |
| Dougherty | | | |

Those who voted in the negative, were

| | | | |
|--------------|-----------|-----------|-------------|
| Alvord | Congdon | Husted | Sanders |
| Andrews | Cookinham | Ingersoll | Seeley |
| Baker, B. F. | Crapser | Kennedy | Sheridan |
| Baker, C. S. | Cullinan | Lefever | Sherman |
| Beach | Curtis | Liddle | Shuit |
| Beates | Davis | Lindsay | Sipp |
| Bradley | Deane | Low | Sisson |
| Brennan | Douglass | Miller | Slingerland |

| | | | |
|------------------|----------|----------|----------------|
| Bridges | Duell | Mitchell | Tallmadge |
| Brodsky | Duguid | Mooers | Terry |
| Bullock | Evans | Morgan | Titus |
| Carpenter, E. A. | Ferris | Nowlan | Tozier |
| Carpenter, I. S. | Fish | O'Brien | Travis |
| Case | Fiske | Peck | Tuthill, H. H. |
| Chamberlain | Gillette | Phillips | Tuttle, R. M. |
| Chase | Gorsline | Pitcher | Warner |
| Chickering | Gray | Potter | Waterbury |
| Childs | Griggs | Potts | Wells, D. A. |
| Clark | Hayes | Roberts | Wells, J. L. |
| Clowes | Howland | Root | Weston |
| Comstock | Hurd | Russell | Wren |

The committee of conference to whom was referred Assembly bill No. 491, entitled "An act to prohibit the erection, construction, maintenance, or operation of elevated railways, or extensions thereof, in certain streets or avenues in the city of Brooklyn and county of Kings," have met and agreed to report the same amended as follows:

Strike out all after the enacting clause and insert as follows:

Section 1. Section 4, chapter 606 of the Laws of 1875, entitled "An act to further provide for the construction and operation of a steam railway or railways in the counties of the State," is hereby amended so as to read as follows:

§ 4. Said commissioners shall, within thirty days after such organization, determine upon the necessity of such steam railway or railways, and if they find such railway or railways to be necessary in such county, they shall, within sixty days after such organization, fix and determine the route or routes for such steam railway or railways, and the said commissioners shall have the exclusive power to locate the route or routes of such railway or railways, over, under, through or across the streets, avenues, places or lands in such county, "except Broadway and 5th avenue below 49th street, and 4th avenue above 42d street, in the city of New York, and except over, under, through or across those portions of Grand, Classon and Franklin avenues in the city of Brooklyn lying between the southerly line of Lexington avenue and the northerly line of Atlantic avenue, and over, under, through or across that portion of Classon avenue in said city lying between the northerly line of Lexington avenue and the southerly line of Park avenue," and except such portion of streets and avenues as are already legally authorized for or occupied by an elevated or underground railway, and except such as are contained in public parks or occupied by buildings belonging to such county, or to this State, or to the United States, and except that portion of the city of Buffalo lying between Michigan and Main streets; and to provide for the connection or junction with any other railway or bridge. Provided, that the consent of the owners of one-half in value of the property bounded on, and the consent also of the local authorities having the control of that portion of a street or highway upon which it is proposed to construct or operate such railway or railways, be first obtained, or in case the consent of such property owners cannot be obtained that the determination of three commissioners, appointed by the general term of the Supreme Court in the district of the proposed construction, given after a due hearing of all parties interested and confirmed by the court, that such railway or railways ought to be constructed or operated, be taken in lieu of the consent of such property owners.

§ 2. This act shall take effect immediately.

Amend the title so as to read as follows :

"An act to amend chapter 606 of the Laws of 1875, entitled 'An act further to provide for the construction and operation of a steam railway or railways in the counties of the State.'"

Mr. Speaker put the question whether the House would concur in the report of said conference committee, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 68 }
{ NOES 35 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|----------------|
| Alvord | Chickering | Gray | Phillips |
| Andrews | Childs | Griggs | Potter |
| Baker, B. F. | Clark | Hayes | Roberts |
| Baker, O. S. | Clowes | Howland | Russell |
| Beach | Comstock | Hurd | Seeley |
| Beates | Cookinham | Husted | Shanley |
| Bennett | Cullinan | Ingersoll | Shuit |
| Bradley | Curtis | Kennedy | Tallmadge |
| Brennan | Davis | Lefever | Terpeny |
| Bridges | Douglass | Liddle | Titus |
| Brodsky | Duell | Lindsay | Tozier |
| Bullock | Duguid | Low | Tuthill, H. H. |
| Carpenter, E. A. | Evans | McCabe | Walsh |
| Carpenter, I. S. | Ferris | Morgan | Waterbury |
| Case | Fish | Newman | Wells, D. A. |
| Catlin | Gilletto | Nowlan | Weston |
| Chase | Gorsline | O'Brien | Wiley |

Those who voted in the negative, were

| | | | |
|-----------------|----------|----------|---------------|
| Benedict, T. E. | Grosse | Mitchell | Thilemann |
| Clancy | Havens | Mooers | Torney |
| Cohen | Hoffman | Parker | Treanor |
| Congdon | McAvoy | Peck | Tully |
| Crapser | McCarthy | Potts | Tuttle, R. M. |
| Cushing | McDonald | Rhodes | Varnum |
| Deane | McTernan | Sheridan | Warner |
| Dougherty | Mead | Sherman | Wells, J. L. |
| Fiske | Miller | Terry | |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing that the Assembly have concurred in the report of the conference committee thereon.

Mr. Catlin moved to take from the table the Assembly bill entitled "An act to amend chapter 249 of the Laws of 1864, entitled 'An act to amend an act entitled 'An act to provide for the incorporation of villages, passed December 7, 1847, and the several acts amendatory thereof, so far as the same relate to the village of New Rochelle, in the county of Westchester, and the several acts amendatory thereof.'"

Mr. Speaker put the question whether the House would agree to take said motion from the table, and it was determined in the affirmative.

Said bill having been announced for a third reading, on motion of Mr. Catlin, and by unanimous consent, said bill was amended as follows:

In line 1 of section 1, after the word "section," strike out the word "one" and insert the word "two," and in same line, same section,

strike out the word "five" and insert the word "four." Strike out all of section 1, after the 7th line, being lines 8 to 38, inclusive.

Strike out lines 1 and 2 of section 2.

Change section 3 to section 2 ; section 4 to section 3 ; section 5 to section 4 ; section 6 to section 5 ; section 7 to section 6 ; section 8 to section 7 ; section 9 to section 8 ; section 10 to section 9 ; section 11 to section 10 ; section 12 to section 11 ; section 13 to section 12 ; section 14 to section 13 ; section 15 to section 14.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 97 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|----------------|
| Alvord | Cookinham | Ingersoll | Sanders |
| Andrews | Costello | Kennedy | Shanley |
| Baker, B. F. | Crapser | Lefever | Sherman |
| Baker, C. S. | Cullinan | Liddle | Shuit |
| Beach | Curtis | Lindsay | Slingerland |
| Beates | Cushing | Low | Steele |
| Benedict, E. D. | Davis | McAvey | Tallmadge |
| Benedict, T. E. | Deane | McCarthy | Terry |
| Bennett | Dougherty | McDonald | Titus |
| Bradley | Duell | Mead | Tormey |
| Brennan | Duguid | Mooers | Tozier |
| Bridges | Evans | Morgan | Travis |
| Brodsky | Ferris | Newman | Treanor |
| Bullock | Fish | O'Brien | Tuthill, H. H. |
| Carpenter, E. A. | Gillette | Parker | Tuttle, R. M. |
| Carpenter, I. S. | Gorsline | Peck | Warner |
| Case | Gray | Phillips | Waterbury |
| Catlin | Griggs | Pitcher | Wells, D. A. |
| Clark | Gwinup | Potts | Wells, J. L. |
| Clowes | Hagan | Rhodes | Weston |
| Cohen | Havens | Root | Wiley |
| Comstock | Hoffman | Russell | Wren |
| Congdon | Husted | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned Assembly bill entitled "An act to regulate the passage of lumber, logs and other timber upon the rivers of this State, recognized by law or common use as public highways for the purpose of floating and running lumber, logs and other timber over or upon the same to market or places of manufacture," with a message that they have concurred in the passage of the same, with the following amendments:

Section 10, line 5, strike out the words "to an amount not exceeding" and insert in place thereof the word "in."

Section 11, line 1, insert after the word "not" the following: "Apply to the Hudson river, nor."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Davis | Low | Sherman |
| Baker, B. F. | Deane | McAvoy | Shuit |
| Baker, C. S. | Dougherty | McCabe | Sipp |
| Beach | Duell | McCarthy | Tallmadge |
| Beates | Duguid | McDonald | Terpeny |
| Benedict, E. D. | Ferris | Mead | Terry |
| Bennett | Fish | Miller | Thilemann |
| Bradley | Fiske | Mitchell | Titus |
| Bridges | Gillette | Moors | Tozier |
| Brodsky | Gorsline | Morgan | Travis |
| Bullock | Gray | Newman | Treanor |
| Carpenter, I. S. | Griggs | Nowlan | Tully |
| Chase | Hayes | O'Connor | Tuthill, H. H. |
| Clark | Hoffman | Peck | Tuttle, R. M. |
| Clowes | Howland | Phillips | Warner |
| Comstock | Hurd | Potter | Waterbury |
| Congdon | Husted | Potts | Wells, D. A. |
| Cookinham | Ingersoll | Root | Wells, J. L. |
| Costello | Kennedy | Russell | Weston |
| Cullinan | Lefever | Sanders | Wiley |
| Curtis | Liddle | Seeley | Wren |
| Cushing | Lindsay | Shanley | |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The committee of conference, appointed on the part of the Senate and Assembly, to consider the matters in dispute in relation to the bill entitled "An act to provide for a further appropriation of money for the maintenance of the public parks of the city of Brooklyn," respectfully report that they have agreed upon the following amendments:

Insert in line 6, of engrossed bill, after the word "park" the following: "and also the sum of \$8,000 for the repair of Bedford avenue."

Amend title by adding after the word "Brooklyn" the words "Bedford avenue."

W. H. MURTHA,
S. H. WENDOVER,
F. A. SCHROEDER,
Senate Committee.

CHAS. H. RUSSELL,
P. W. CULLINAN,
JAS. M. VARNUM,
GEO. WREN,
L. J. TORMEY,
Assembly Committee.

Mr. Speaker put the question whether the House would concur in the report of said conference committee, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|--------------|-----------|---------|-------------|
| Alvord | Cookinham | Liddle | Shuit |
| Baker, B. F. | Curtis | Lindsay | Sisson |
| Baker, C. S. | Cushing | Low | Slingerland |

| | | | |
|------------------|-----------|----------|----------------|
| Beach | Davis | McAvoy | Tallmadge |
| Beates | Deane | McCabe | Terpeny |
| Benedict, E. D. | Dougherty | McCarthy | Terry |
| Bennett | Duell | McDonald | Thilemann |
| Bradley | Duguid | Mead | Titus |
| Brennan | Evans | Miller | Tormey |
| Bridges | Ferris | Mooers | Tozier |
| Brodsky | Fish | Morgan | Travis |
| Bullock | Gillette | Newman | Treanor |
| Carpenter, E. A. | Gorsline | Nowlan | Tully |
| Carpenter, I. S. | Gray | Parker | Tuthill, H. H. |
| Case | Hayes | Peck | Tuttle, R. M. |
| Catlin | Hoffman | Pitcher | Warner |
| Chickering | Howland | Potts | Waterbury |
| Childs | Hurd | Roberts | Wells, D. A. |
| Clark | Husted | Root | Wells, J. L. |
| Clowes | Ingersoll | Russell | Weston |
| Cohen | Kennedy | Sanders | Wiley |
| Comstock | Lefever | Seeley | Wren |
| Congdon | | | |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in the report of the conference committee thereon.

The committee appointed on the part of the Senate and Assembly to consider the matter in dispute in relation to the bill entitled "An act in relation to unpaid taxes and assessments in the city of Brooklyn," report that they recommend the Assembly recede from all the amendments made to said bill by the Senate.

Mr. Speaker put the question whether the House would concur in the report of said conference committee, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }
{ NOES 2 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Congdon | Liddle | Sherman |
| Andrews | Cookinham | Lindsay | Shuit |
| Baker, B. F. | Curtis | Low | Sipp |
| Baker, C. S. | Cushing | McAvoy | Slingerland |
| Beach | Davis | McCabe | Strait |
| Beates | Deane | McCarthy | Tallmadge |
| Benedict, T. E. | Dougherty | Mead | Terpeny |
| Bennett | Duell | Miller | Terry |
| Bradley | Duguid | Mooers | Thilemann |
| Brennan | Evans | Morgan | Titus |
| Bridges | Ferris | Newman | Tozier |
| Brodsky | Fish | Nowlan | Travis |
| Bullock | Gillette | Parker | Treanor |
| Carpenter, E. A. | Gorsline | Peck | Tuthill, H. H. |
| Carpenter, I. S. | Gray | Phillips | Tuttle, R. M. |
| Catlin | Hagan | Potter | Warner |
| Chase | Hayes | Potts | Waterbury |
| Chickering | Hoffman | Roberts | Wells, D. A. |
| Childs | Howland | Root | Wells, J. L. |
| Clark | Hurd | Russell | Weston |
| Clowes | Husted | Sanders | Wiley |

Cohen
ComstockKennedy
LefeverShanley
Sheridan

Wren

Those who voted in the negative, were
Clancy McDonald

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in the report of the conference committee thereon.

Mr. Alvord gave notice that he will, at some future day, move to suspend so much of Rule 72 as gives the right to a member "to make a brief statement of the reasons for making a request to be excused from voting" during the remainder of this session and until the final adjournment.

Mr. Trainor offered for the consideration of the House a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return of Assembly bill No. 601, entitled "An act relative to the leasing of ferry franchises and wharf property necessary for ferry purposes in the city of New York," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate returned the bill entitled "An act to extend the term of office of the improvement commissioners in Long Island City, for the purpose of completing certain improvements heretofore authorized," with a message that they had passed the same with the following amendments:

Section 1, line 8, after the word "eighty-one" insert the following: "but said commissioners shall not, after the first day of July, 1880, receive or be entitled to receive more than \$600 each per annum as and for their salaries as such commissioners."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Curtis | Lefever | Sherman |
| Andrews | Cushing | Liddle | Shuit |
| Baker, B. F. | Davis | Lindsay | Sisson |
| Baker, C. S. | Deane | Low | Slingerland |
| Beach | Dougherty | McAvoy | Steele |
| Benedict, E. D. | Duell | McCabe | Tallmadge |
| Bennett | Duguid | McDonald | Terpeny |
| Bradley | Evans | Mead | Terry |
| Bridges | Fish | Miller | Thilemann |
| Brodsky | Fitzgerald | Mooers | Titus |
| Bullock | Gillette | Morgan | Tozier |
| Carpenter, E. A. | Gorsline | Newman | Travis |
| Carpenter, I. S. | Grosse | Nowlan | Tuthill, H. H. |
| Case | Hagan | Peck | Tuttle, R. M. |
| Catlin | Havens | Phillips | Varnum |

| | | | |
|------------|-----------|----------|--------------|
| Chase | Hayes | Potter | Warner |
| Chickering | Hoffman | Potts | Waterbury |
| Clark | Howland | Roberts | Wells, D. A. |
| Clowes | Hurd | Root | Wells, J. L. |
| Comstock | Husted | Russell | Weston |
| Congdon | Ingersoll | Seeley | Wiley |
| Cookinham | Kennedy | Sheridan | Wren |

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

A message was received from the Governor in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }
ALBANY, May 20, 1880.

To the Assembly:

Pursuant to a joint resolution of the Senate and Assembly, bill No. 673, entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,'" is herewith returned for amendment.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Cullinan | Lefever | Sherman |
| Andrews | Curtis | Liddle | Shuit |
| Baker, B. F. | Cushing | Lindsay | Slingerland |
| Baker, C. S. | Davis | Low | Steele |
| Beach | Deane | McAvoy | Tallmadge |
| Beates | Dougherty | McCabe | Terpeny |
| Benedict, E. D. | Douglass | McCarthy | Terry |
| Bennett | Duguid | McDonald | Titus |
| Bradley | Evans | Miller | Tozier |
| Brennan | Fish | Mooers | Travis |
| Bridges | Fiske | Morgan | Treanor |
| Brodsky | Fitzgerald | Newman | Tully |
| Bullock | Gibbs | Nowlan | Tuthill, H. H. |
| Carpenter, E. A. | Gorsline | O'Brien | Tuttle, R. M. |
| Catlin | Gray | Parker | Varnum |
| Chase | Hagan | Phillips | Warner |
| Chickering | Havens | Potter | Waterbury |
| Childs | Hayes | Potts | Wells, D. A. |
| Clark | Hoffman | Rhodes | Wells, J. L. |
| Clowes | Howland | Root | Weston |
| Comstock | Husted | Russell | Wiley |
| Congdon | Ingersoll | Seeley | Wren |
| Cookinham | Kennedy | | |

On motion of Mr. Chickering, and by unanimous consent, said bill was amended in words following:

Section 1, line 1, after the word "fifteen" insert the words "of title two."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to

the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }
{ NOES 00 }

'Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|----------------|
| Alvord | Congdon | Hurd | Root |
| Andrews | Cookinham | Husted | Sanders |
| Baker, B. F. | Cullinan | Ingersoll | Shuit |
| Baker, C. S. | Curtis | Kennedy | Slingerland |
| Beach | Davis | Lefever | Tallmadge |
| Beates | Deane | Liddle | Terpeny |
| Benedict, E. D. | Douglass | Lindsay | Terry |
| Bradley | Duell | Low | Titus |
| Brennan | Duguid | McAvoy | Tormey |
| Bridges | Ellis | McCabe | Tozier |
| Brodsky | Evans | McCarthy | Travis |
| Bullock | Ferris | Miller | Tuthill, H. H. |
| Carpenter, E. A. | Fish | Mitchell | Tuttle, R. M. |
| Carpenter, I. S. | Fiske | Mooers | Varnum |
| Case | Fitzgerald | Nowlan | Walsh |
| Catlin | Gillette | O'Brien | Warner |
| Chamberlain | Gorsline | Peck | Waterbury |
| Chase | Gray | Phillips | Wells, D. A. |
| Chickering | Griggs | Pitcher | Wells, J. L. |
| Childs | Grosse | Potter | Weston |
| Clark | Hayes | Potts | Wren |
| Clowes | Hoffman | Rhodes | Youngs |
| Comstock | Howland | Roberts | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A message was received from the Governor, in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }
ALBANY, May 20, 1880. }

To the Assembly:

Pursuant to a joint resolution of the Senate and Assembly, Assembly bills Nos. 107, 376, 436 and 509, respectively, entitled "An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish, and other game;'" also, "An act to amend section 37, chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish, and other game;'" also, "An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish, and other game;'" also, "An act to prevent fishing with nets in a part of the waters of Lake Ontario," are herewith returned for amendment.

ALONZO B. CORNELL.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which bill No. 107, entitled "An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish, and other game,'" was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|----------------|
| Alvord | Comstock | Howland | Roberts |
| Andrews | Congdon | Hurd | Root |
| Baker, B. F. | Cookinham | Husted | Russell |
| Baker, C. S. | Cullinan | Ingersoll | Sanders |
| Beach | Curtis | Kennedy | Seeley |
| Beates | Davis | Lefever | Sherman |
| Benedict, E. D. | Deane | Liddle | Shuit |
| Benedict, T. E. | Dougherty | Lindsay | Sisson |
| Bradley | Douglass | Low | Slingerland |
| Brennan | Duell | McAvoy | Tallmadge |
| Bridges | Duguid | McCabe | Terpeny |
| Brodsky | Evans | McCarthy | Terry |
| Bullock | Ferris | Miller | Titus |
| Carpenter, E. A. | Fish | Mitchell | Tozier |
| Carpenter, I. S. | Fiske | Nowlan | Travis |
| Case | Fitzgerald | O'Brien | Tuthill, H. H. |
| Catlin | Gibbs | Peck | Varnum |
| Chase | Gillette | Phillips | Warner |
| Chickering | Gorsline | Pitcher | Waterbury |
| Childs | Gray | Potter | Wells, D. A. |
| Clark | Gwinup | Potts | Wells, J. L. |
| Clowes | Hayes | Rhodes | Weston |
| Cohen | Hoffman | | |

Mr. Husted moved to refer said bill to select committee consisting of Messrs. Kennedy, Cullinan, Low, Ellis and Husted.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Shuit, from the committee on State prisons, to which was referred the Senate bill (introductory No. 540), entitled "An act to amend title 3, chapter 3, part 4 of the Revised Statutes, entitled 'General provisions applicable to all the prisons treated of in this chapter,' " reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

The Senate returned Assembly bill entitled "An act to release to Ellen Kennedy and others the right, title and interest of the People of the State of New York in and to certain real estate in the county of Madison, of which Richard Kennedy died seized," with a message that they have concurred in the same with the following amendments:

Section 1, line 8, after the word "to" strike out the words "and vested in."

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 101 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|--------------|----------|-----------|----------|
| Alvord | Crapser | Hurd | Sheridan |
| Andrews | Cullinan | Husted | Sherman |
| Baker, B. F. | Curtis | Ingersoll | Shuit |
| Baker, C. S. | Davis | Kennedy | Sipp |
| Beach | Deane | Lefever | Sisson |

| | | | |
|------------------|------------|----------|-----------------|
| Beates | Dougherty | Liddle | Slingerland |
| Benedict, E. D. | Douglass | Lindsay | Steele |
| Bennett | Duell | Low | Tallmadge |
| Bradley | Duguid | McAvoy | Terpeny |
| Brennan | Evans | McCabe | Terry |
| Bridges | Ferris | Miller | Titus |
| Brodsky | Fish | Mitchell | Tormey |
| Bullock | Fiske | Nowlan | Tozier |
| Carpenter, E. A. | Fitzgerald | O'Brien | Travis |
| Carpenter, I. S. | Gibbs | Peck | Tully |
| Case | Gillette | Phillips | Tuthill, H. H. |
| Catlin | Gorsline | Pitcher | Tuttle, R. M. |
| Chamberlain | Gray | Potter | Van Valkenburgh |
| Chase | Griggs | Potts | Warner |
| Chickering | Grosse | Rhodes | Waterbury |
| Childs | Gwinup | Roberts | Wells, D. A. |
| Clark | Havens | Root | Wells, J. L. |
| Clowes | Hayes | Russell | Weston |
| Comstock | Hoffman | Sanders | Wren |
| Congdon | Howland | Seeley | Youngs |
| Cookinham | | | |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act to amend section 2 of title 1 of chapter 13 of part 1 of the Revised Statutes," with a message that they have concurred in the same, with the following amendments:

Line 15, section 1, after the word "ground" insert the words "except street surface railroads."

Mr. Mitchell moved to non-concur in the amendments of the Senate to the within entitled bill, and requests a committee of conference on the part of the House, and requests a like committee on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 74 }
{ NOES 16 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|-----------------|
| Alvord | Clark | Husted | Russell |
| Andrews | Comstock | Ingersoll | Sanders |
| Baker, B. F. | Congdon | Kennedy | Seeley |
| Baker, C. S. | Cookinham | Lefever | Sherman |
| Beach | Cullinan | Liddle | Shuit |
| Beates | Curtis | Lindsay | Sisson |
| Benedict, E. D. | Davis | Low | Slingerland |
| Benedict, T. E. | Duell | McCabe | Steele |
| Bradley | Duguid | Mead | Tallmadge |
| Brennan | Evans | Miller | Terry |
| Bridges | Ferris | Nowlan | Titus |
| Brodsky | Fish | Parker | Tozier |
| Bullock | Fiske | Peck | Travis |
| Carpenter, I. S. | Gorsline | Phillips | Tuthill, H. H. |
| Case | Gray | Potter | Van Valkenburgh |

| | | | |
|-------------|---------|---------|-----------|
| Chamberlain | Griggs | Potts | Waterbury |
| Chase | Hayes | Roberts | Wren |
| Chickering | Hoffman | Root | Youngs |
| Childs | Howland | | |

Those who voted in the negative, were

| | | | |
|-----------|----------|---------|-------------|
| Cohen | Grosbe | Rhodes | Walsh |
| Costello | McAvoy | Terpeny | Warner |
| Cushing | McCarthy | Treanor | Wiley |
| Dougherty | Mitchell | Varnum | Mr. Speaker |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

Senate bill entitled "An act relating to leases of railroads and railroad property within this State," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 96 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|--------------|
| Alvord | Comstock | Hurd | Russell |
| Andrews | Congdon | Husted | Sanders |
| Baker, B. F. | Cookinham | Ingersoll | Seeley |
| Baker, C. S. | Costello | Kennedy | Shanley |
| Beach | Curtis | Lefever | Sheridan |
| Beates | Cushing | Liddle | Shuit |
| Benedict, E. D. | Davis | Lindsay | Sipp |
| Benedict, T. E. | Deane | Low | Sisson |
| Bradley | Dougherty | McAvoy | Slingerland |
| Brennan | Douglass | McCabe | Steele |
| Bridges | Duell | McCarthy | Terpeny |
| Brodaky | Duguid | McDonald | Terry |
| Bullock | Evans | McTernan | Titus |
| Carpenter, E. A. | Ferris | Moors | Tormey |
| Carpenter, I. S. | Fish | Morgan | Tozier |
| Case | Fitzgerald | Newman | Travis |
| Catlin | Gibbs | Nowlan | Treanor |
| Chamberlain | Gillette | O'Brien | Tully |
| Chase | Gorsline | Parker | Varnum |
| Chickering | Hagan | Peck | Walsh |
| Childs | Havens | Phillips | Warner |
| Clancy | Hayes | Potter | Waterbury |
| Clark | Hoffman | Potts | Wells, J. L. |
| Clowes | Howland | Root | Wren |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act for the better laying out and improving of that portion of the city of New York, between Tenth avenue and avenue St. Nicholas and 138th street continued, and the lands of the Academy of the Sacred Heart and 135th street continued," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative,

a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Davis | Liddle | Shanley |
| Andrews | Deane | Lindsay | Sheridan |
| Baker, B. F. | Douglass | Low | Sherman |
| Baker, C. S. | Duell | McAvoy | Sipp |
| Beach | Duguid | McCabe | Slingerland |
| Beates | Ferris | McCarthy | Steele |
| Benedict, T. E. | Fish | McDonald | Tallmadge |
| Brennan | Fiske | McTernan | Terpeny |
| Bridges | Fitzgerald | Miller | Terry |
| Brodsky | Gillette | Mooers | Tozier |
| Bullock | Gorsline | Morgan | Travis |
| Carpenter, E. A. | Gray | Newman | Treanor |
| Catlin | Gwinup | Nowlan | Tully |
| Chase | Hagan | O'Connor | Tuthill, H. H. |
| Chickering | Havens | Peck | Tuttle, R. M. |
| Childs | Hayes | Phillips | Walsh |
| Clark | Hoffman | Potts | Warner |
| Clowes | Howland | Rhodes | Waterbury |
| Comstock | Hurd | Roberts | Wells, D. A. |
| Congdon | Husted | Russell | Wells, J. L. |
| Cookinham | Ingersoll | Sanders | Wiley |
| Curtis | Kennedy | Seeley | Wren |
| Cushing | Lefever | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to provide for excavating and tunneling and bridging for transportation purposes within villages and cities of this State," being announced for a third reading,

On motion of Mr. Hays, and by unanimous consent, said bill was amended in words following:

Section 1, line 14, of engrossed bill, strike out the words "owned and unemployed by the State."

Section 4, line 14, after the words "but every road" insert the words "constructed under the provisions of this act."

Mr. Alvord moved to commit said bill to the committee on railroads with instructions to amend the same in words following: "except in the counties of Onondaga and Kings."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 69 }
{ NOES 23 }

Those who voted in the affirmative, were

| | | | |
|--------------|-----------|---------|---------|
| Andrews | Cookinham | Lefever | Russell |
| Baker, B. F. | Cullinan | Liddle | Seeley |

| | | | |
|------------------|----------|----------|---------------|
| Baker, C. S. | Davis | Low | Shuit |
| Beach | Deane | McCabe | Sisson |
| Beates | Duell | McCarthy | Steele |
| Benedict, T. E. | Duguid | Miller | Strait |
| Bradley | Evans | Mitchell | Tallmadge |
| Brennan | Gillette | Mooers | Terpeny |
| Bridges | Gray | Morgan | Terry |
| Brodsky | Griggs | Nowlan | Titus |
| Bullock | Grosse | Parker | Tuttle, R. M. |
| Carpenter, E. A. | Gwinup | Pitcher | Varnum |
| Case | Havens | Potter | Warner |
| Chamberlain | Hayes | Potts | Waterbury |
| Chickering | Hoffman | Rhodes | Wells, J. L. |
| Clowes | Hurd | Roberts | Weston |
| Comstock | Husted | Root | Mr. Speaker |
| Congdon | | | |

Those who voted in the negative, were

| | | | |
|----------|------------|----------|----------------|
| Alvord | Cushing | McTernan | Sipp |
| Clancy | Fitzgerald | Newman | Slingerland |
| Clark | Gibbs | O'Connor | Tully |
| Cohen | Howland | Phillips | Tuthill, H. H. |
| Costello | Kennedy | Shanley | Walsh |
| Curtis | Lindsay | Sheridan | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Warner, from the committee on trade and manufactures, to which was referred the Senate bill (introductory No. 606), entitled "An act to extend the operation and effect of chapter 40 of the Laws of 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' and the acts amending and extending the same," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Brennan, from the committee on militia, to which was referred the Senate bill (introductory No. 700), entitled "An act making an appropriation for repairs to the State arsenal at Albany, and military property stored therein," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Husted, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Terry introduced a bill entitled "An act relative to printing and publishing the Code of Criminal Procedure," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Terry, and by unanimous consent, said bill was ordered to a third reading.

The bill entitled "An act to provide for payment of the expense of certain proceedings against public officers in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

MAY 21.]

1707

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Andrews | Curtis | Lefever | Sanders |
| Baker, C. S. | Cushing | Liddle | Seeley |
| Beach | Davis | Lindsay | Shanley |
| Beates | Deane | Low | Shuit |
| Bennett | Dougherty | McAvoy | Sipp |
| Bradley | Douglass | McDonald | Sisson |
| Brennan | Duguid | McTernan | Steele |
| Bridges | Evans | Miller | Strait |
| Brodsky | Ferris | Mitchell | Terpeny |
| Bullock | Fish | Mooers | Terry |
| Carpenter, I. S. | Fitzgerald | Morgan | Titus |
| Case | Gibbs | Nowlan | Tormey |
| Catlin | Gorsline | O'Brien | Travis |
| Chase | Gray | Parker | Tuthill, H. H. |
| Chickering | Grosse | Peck | Tuttle, R. M. |
| Clark | Hayes | Potter | Varnum |
| Clowes | Hoffman | Potts | Warner |
| Comstock | Howland | Rhodes | Waterbury |
| Congdon | Husted | Roberts | Weston |
| Cookinham | Kennedy | Russell | Wren |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to amend title 1, chapter 17, part 1 of the Revised Statutes, entitled 'Of sales by auctioneers,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Comstock | Lefever | Roberts |
| Andrews | Congdon | Liddle | Root |
| Baker, B. F. | Cookinham | Low | Russell |
| Baker, C. S. | Oullinan | McAvoy | Sanders |
| Beach | Curtis | McCabe | Seeley |
| Beates | Davis | McDonald | Sheridan |
| Bradley | Deane | Miller | Sherman |
| Brennan | Dougherty | Mitchell | Shuit |
| Bridges | Douglass | Mooers | Sipp |
| Brodsky | Duell | Morgan | Sisson |
| Bullock | Duguid | Newman | Slingerland |
| Carpenter, E. A. | Evans | Nowlan | Steele |
| Carpenter, I. S. | Fish | O'Brien | Tallmadge |
| Catlin | Fiske | Parker | Terry |
| Chamberlain | Gray | Peck | Tuthill, H. H. |
| Chase | Griggs | Phillips | Warner |
| Chickering | Hayes | Pitcher | Waterbury |
| Childs | Hoffman | Potter | Wells, J. L. |
| Clark | Howland | Potts | Weston |
| Clowes | Kennedy | Rhodes | |

Ordered, That the Clerk return said bill to the Senate, with a mess-

age informing that the Assembly have concurred in the passage of the same.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to authorize the dock department of the city of New York to construct a new pier for the use of the police and fire departments of that city."

"An act to amend chapter 444 of the Laws of 1876, entitled 'An act to establish a State board of audit and to define its powers and duties.'"

"An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game.'"

"An act to facilitate the speedy and economical disposition of refuse from the city of New York."

"An act to amend chapter 431 of the Laws of 1879, entitled 'An act requiring the commissioners of the town of Unadilla, in the county of Otsego, to pay over the surplus moneys or securities in their hands to the county treasurer, to be used for the payment of taxes against said town.'"

"An act relating to certain local improvements and assessments in the city of New York."

"An act for the relief of Thomas Duffy, who performed the duty and rendered services as clerk of the seventh judicial district court in the city of New York during part of the year 1879."

"An act for the better protection of manufacturing interests."

"An act in relation to rates of fare upon certain railroads."

A message from the Senate was received and read, informing of concurrence in the following bills:

"An act to amend chapter 314 of the Laws of 1871, entitled 'An act to amend the act entitled 'An act incorporating the New York Northern Railroad Company,' passed April 28, 1866.'"

"An act to provide for the payment of certain assessments on property of the Bridge Street African Methodist Episcopal Church of the city of Brooklyn."

"An act to authorize the treasurer of Steuben county to sell property for unpaid taxes."

"An act to authorize the Superintendent of Public Works to construct a lift, hoist, swing or draw bridge over the Erie canal, upon Genesee street in the city of Utica."

"An act to establish a ferry from the farm of Henry G. Burleigh, of the county of Essex, across Lake Champlain."

"An act to further amend section 2 of chapter 139 of the Laws of 1870, as amended by chapter 402 of the Laws of 1877, entitled 'An act to annex parts of the towns of Bethlehem and Watervliet, in the county of Albany, to the city of Albany, and to exempt such parts thereof from certain taxes, and to annex a part of the city of Albany to the town of Watervliet.'"

"An act in relation to unpaid taxes and water assessments in Long Island City."

"An act to fix the salary of the town clerk and commissioner of highways of the town of Saugerties, Ulster county."

"An act to repeal chapter 458 of the Laws of 1871, entitled 'An act to provide for the extension of the Rondout and Oswego railroad

to the east bank of the Hudson river, and to establish a ferry over said river."

"An act for the relief of Theodore P. Ballou."

"An act to amend chapter 59 of the Laws of 1861, entitled 'An act to amend the charter of the Poughkeepsie and New Paltz Ferry Company,' passed March 19, 1861."

"An act to repeal section 3 of chapter 683 of the Laws of 1873, entitled 'An act to provide for the extension of the New York, Kingston and Syracuse railroad.'"

"An act to authorize and direct the county clerk of Richmond county to record certain papers now on file in the Richmond county clerk's office."

"An act to further amend chapter 143 of the Laws of 1861, entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,' and to consolidate therewith the several acts in relation to the charter of said city, as amended by chapter 14 of the Laws of 1880."

"An act to amend section 236 of the Code of Civil Procedure."

"An act to amend chapter 486 of the Laws of 1855, entitled 'An act to amend the charter of the village of Horseheads in Chemung county,' and the several acts amendatory thereof, and to supplement new sections."

"An act to amend section 2 of chapter 405 of the Laws of 1879, entitled 'An act to amend sections 2 and 10 of chapter 248 of the Laws of 1878, entitled 'An act in relation to the election of officers in certain school districts.'"

"An act to prevent trespassing and intrusion upon railroad cars and engines."

"An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,' so far as said act relates to the village of Wolcott."

"An act to amend chapter 297 of the Laws of 1862, entitled 'An act to incorporate the fire department of the village of Owego,' passed April 17, 1862."

"An act to exempt the county of Saratoga from the provisions of chapter 733, Laws of 1872, so far as it authorizes the employment of assistant counsel to the district attorney of any county."

"An act to reduce and fix the rate of interest on bonds and mortgages held by the Commissioners of the United States Deposit Fund in the several counties of the State."

"An act to revive the Gypsum Cemetery Association in Ontario county."

"An act to amend section 9, chapter 11, article first, title 2, part 1 of the Revised Statutes, and supplementary thereto."

"An act to reduce the expenses of the improvement commission in Long Island City."

Ordered, That the Clerk deliver said bills to the Governor.

The Senate sent for concurrence the following resolution:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor requesting the return of Senate bill No. 365, entitled "An act amending chapter 291 of the Laws of 1867, amending the act incorporating the city of Binghamton," for amendment.

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein.

A message from the Senate was received and read, informing of concurrence in the following resolutions:

Relative to printing the Annual Report of the Superintendent of the Insurance Department.

Also,

Asking the return by the Governor of Assembly bill No. 601, entitled "An act relative to the leasing of ferry franchises and wharf property necessary for ferry purposes in the city of New York," for amendment.

Ordered, That the Clerk deliver said last resolution to the Governor.

Mr. Steele moved to lay all order of business on the table for the purpose of taking up order of business reports of committees and resolutions.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

By unanimous consent,

Mr. Cullinan offered for the consideration of the House a resolution in the words following:

Resolved, That when this House adjourns, it be to meet at 4 o'clock P. M. to-day, and continue in session until 7 o'clock.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative.

On motion of Mr. Mitchell, and at 1 o'clock and 55 minutes, the House adjourned.

MONDAY EVENING, MAY 24, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Reese.

The journal of Friday was read and approved.

A message from the Senate was received and read informing of concurrence in the passage of the following resolution:

Resolved (if the Senate concur), That of the Auditors' Expenditure Report for the fiscal year ending 30th September, 1879, there be printed 500 copies for the use of the Auditors' Department, and 500 copies for the use of the Legislature.

A message from the Senate was received and read, informing of concurrence in the passage of the following bills:

"An act to legalize the action of the town meeting of the town of DeKalb, in the county of St. Lawrence, held February 10, 1880, and the action of the board of town auditors of said town of DeKalb had February 19, 1880, in issuing a certificate of indebtedness of said town to Andrew Wight and Agnes Wight, for damages sustained by the falling of a bridge in said town, pursuant to a resolution passed at said town meeting.

"An act to amend chapter 106 of the Laws of 1880, entitled 'An act to repeal chapter 515 of the Laws of 1879, entitled 'An act to amend chapter 625 of the Laws of 1875, entitled 'An act in relation

to courts of record in the city and county of New York, and to reenact chapter 625 of the Laws of 1875.'"

"An act to amend an act entitled 'An act to incorporate the Public Exchange,' passed April 22, 1868.

"An act to amend chapter 409 of the Laws of 1879, entitled 'An act to extend the time for the organization of the Centennial Insurance Company, of New York.'"

"An act for the relief of Bridget Gray, of the city of Albany, widow of Samuel Gray, late of the city of Albany, county of Albany, and State of New York."

"An act to amend chapter 287 of the Laws of 1879, entitled 'An act to provide for the formation of county and town co-operative insurance companies.'"

"An act to amend chapter 231 of the Laws of 1872, entitled 'An act to provide for supplying the village of Peekskill with water, and authorizing the issue of bonds therefor, and to create a board of water commissioners.'"

"An act to provide for the disposition of a portion of the Chenango canal and what is called and known as the Chenango canal extension, and the lands, rights and other property connected therewith."

"An act to amend chapter 398 of the Laws of 1871, entitled 'An act in relation to the improvement of the First avenue in the city of New York.'"

"An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals for the fiscal year, commencing on the first day of October, 1880, and to provide for a contingent deficiency in the revenues of the canals for the calendar year 1880."

"An act to amend chapter 806 of the Laws of 1868, entitled 'An act to incorporate the Fire Proof Warehousing Company.'"

"An act to amend chapter 204 of the Laws of 1864, entitled 'An act to amend and consolidate the several acts relating to the village of Lansingburgh.'"

"An act to amend and consolidate an act entitled 'An act to incorporate the village of Cambridge,' passed April 16, 1866, and the several acts amending and supplementing the same."

"An act to release certain lands which have escheated to the State to Francis Marrin, the father of Francis Marrin, late of the village of Fairport, Monroe county, New York."

"An act to amend chapter 409 of the Laws of 1879, entitled 'An act to extend the time for the organization of the Centennial Insurance Company of New York.'"

Ordered, That the Clerk deliver said bills to the Governor.

Privileges of the floor were granted to Hon. Isaac Babcock, a former member of this House.

By unanimous consent,

Mr. Travis offered for the consideration of the House a privileged resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor, requesting the return of Assembly bill No. 293, entitled "An act in relation to the superintendents of the poor of the county of Westchester, and the keeper of the county house of said county," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Phillips introduced a bill entitled "An act to provide for payment to Mrs. Ann Church, widow of the late Sanford E. Church, Chief Judge of the Court of Appeals, the chief judge's salary for the unexpired portion of the year 1880, since the decease of the late judge," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Phillips, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 93 }
{ NOES 5 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Davis | Lindsay | Sheridan |
| Andrews | Deane | Low | Sherman |
| Baker, B. F. | Dougherty | McAvoy | Shuit |
| Baker, C. S. | Douglass | McCabe | Sisson |
| Beach | Duell | McCarthy | Steele |
| Beates | Duguid | McDonald | Strait |
| Benedict, E. D. | Ellis | McTernan | Tallmadge |
| Benedict, T. E. | Evans | Mead | Terry |
| Bennett | Ferris | Miller | Thilemann |
| Bradley | Fiske | Mooers | Tormey |
| Brodeur | Fitzgerald | Morgan | Tozier |
| Carpenter, E. A. | Gillette | Newman | Travis |
| Chamberlain | Gray | Nowlan | Treanor |
| Chase | Griggs | O'Brien | Tully |
| Chickering | Grosse | O'Connor | Tuthill, H. H. |
| Childs | Gwinup | Parker | Van Valkenburgh |
| Clancy | Hagan | Peck | Walsh |
| Clark | Havens | Phillips | Waterbury |
| Clowes | Hayes | Pitcher | Wells, J. L. |
| Cohen | Hurd | Rhodes | Wiley |
| Congdon | Ingersoll | Russell | Wren |
| Cookinham | Lefever | Seeley | Youngs |
| Cullinan | Liddle | Shanley | Mr. Speaker |
| Cushing | | | |

Those who voted in the negative, were

| | | | |
|---------|---------|-------|---------------|
| Breunan | Howland | Potts | Tuttle, R. M. |
| Curtis | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Meade introduced a bill entitled "An act to authorize cities and incorporated villages to charge license fees to persons doing a retail business on the canals of this State," which was read the first time, and by unanimous consent was also read a second time.

On motion of Mr. Mead, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the

final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|------------|----------|-----------------|
| Alvord | Dougherty | McCabe | Shanley |
| Andrews | Douglass | McTernan | Sheridan |
| Baker, B. F. | Duell | Mead | Sherman |
| Baker, C. S. | Duguid | Miller | Shuit |
| Beach | Evans | Mooers | Sisson |
| Beates | Ferris | Morgan | Skinner |
| Benedict, E. D. | Fish | Newman | Strait |
| Benedict, T. E. | Fiske | Nowlan | Tallmadge |
| Brennan | Fitzgerald | O'Brien | Terry |
| Bridges | Gray | O'Connor | Thilemann |
| Chamberlain | Griggs | Parker | Tormey |
| Chase | Grosse | Peck | Tozier |
| Childs | Gwinup | Phillips | Tully |
| Clancy | Hagan | Pitcher | Tuttle, R. M. |
| Clark | Hayes | Potter | Van Valkenburgh |
| Clowes | Howland | Potts | Warner |
| Congdon | Ingersoll | Rhodes | Waterbury |
| Curtis | Lefever | Root | Weston |
| Cushing | Liddle | Russell | Wiley |
| Davis | Lindsay | Sanders | Wren |
| Deane | Low | Seeley | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Titus offered for the consideration of the House a resolution in the words following :

Resolved, That the committee of the whole be discharged from the consideration of Senate bill No. 423, general orders No. 1062, entitled "An act to amend title 3, chapter 3, part 4 of the Revised Statutes, entitled 'General provisions applicable to all the prisons treated of in this chapter,'" and that the same now have its third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|--------------|-----------|----------|-------------|
| Alvord | Davis | Lindsay | Sheridan |
| Andrews | Deane | Low | Sherman |
| Baker, B. F. | Dougherty | McAvoy | Shuit |
| Baker, C. S. | Douglass | McCabe | Sisson |
| Beach | Duell | McCarthy | Skinner |
| Beates | Duguid | McDonald | Slingerland |

| | | | |
|-----------------|------------|----------|-----------------|
| Benedict, E. D. | Evans | Miller | Steele |
| Benedict, T. E. | Ferris | Mooers | Tallmadge |
| Bennett | Fish | Morgan | Terry |
| Bradley | Fiske | Newman | Thilemann |
| Brennan | Fitzgerald | Nowlan | Tormey |
| Bridges | Gillette | Parker | Tozier |
| Brodsky | Griggs | Peck | Travis |
| Chamberlain | Grosse | Phillips | Treanor |
| Chickering | Gwinup | Pitcher | Tully |
| Childs | Hagan | Potter | Tuthill, H. H. |
| Clark | Hayes | Potts | Tuttle, R. M. |
| Cohen | Howland | Root | Van Valkenburgh |
| Congdon | Husted | Russell | Waterbury |
| Cookinham | Ingersoll | Sanders | Wells, J. L. |
| Curtis | Lefever | Seeley | Wren |
| Cushing | Liddle | Shanley | Youngs |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, to which was referred the bill introduced by Mr. Andrews (introductory No. 956), entitled "An act to prohibit disfranchisement," for consideration of the House.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 352), entitled "An act enabling any corporation created by act of Congress of the United States to acquire, hold, use and improve real estate for the purposes of an international exhibition," reported in favor of the passage of the same.

On motion of Mr. Shanley, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 344), entitled "An act for the relief of Augustus T. Morris, and of the estate of James Cummings, deceased," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 207), entitled "An act to amend title 2 of chapter 5, part 2 of the Revised Statutes, entitled 'Of the custody and disposition of the estates of idiots, lunatics, persons of unsound mind, and drunkards,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Pursuant to ninth joint rule Mr. Speaker announced the order of business, third reading of bills.

Senate bill entitled "An act defining the powers and duties of the Superintendent of Public Works," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Cullinan | Kennedy | Seeley |
| Andrews | Cushing | Lefever | Shanley |
| Baker, B. F. | Davis | Liddle | Sherman |
| Baker, C. S. | Deane | Lindsay | Shuit |
| Beach | Dougherty | McAvoy | Sisson |
| Beates | Douglass | McCabe | Slingerland |
| Benedict, E. D. | Duell | McCarthy | Steele |
| Benedict, T. E. | Duguid | McDonald | Tallmadge |
| Bradley | Evans | Miller | Terpeny |
| Brennan | Ferris | Moors | Terry |
| Bridges | Fish | Morgan | Titus |
| Brodsky | Fiske | Newman | Tozier |
| Carpenter, E. A. | Gillette | Nowlan | Travis |
| Case | Gorsline | O'Brien | Treanor |
| Chamberlain | Gray | Peck | Tully |
| Chickering | Griggs | Phillips | Tuthill, H. H. |
| Childs | Hagan | Pitcher | Tuttle, R. M. |
| Clancy | Hayes | Potter | Van Valkenburgh |
| Clark | Howland | Potts | Waterbury |
| Clowes | Hurd | Root | Wells, J. L. |
| Congdon | Husted | Russell | Wren |
| Cookinham | Ingersoll | Sanders | Youngs |

Those who voted in the negative, were

Cohen

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The private secretary of the Governor appeared before the bar of the House and presented a message in writing in words following :

STATE OF NEW YORK, EXECUTIVE CHAMBER, }
ALBANY, May 24, 1880. }

To the Assembly:

Assembly bill No. 332, entitled "An act authorizing the enlargement of the west branch of the Eighteen Mile creek, north of the Erie canal, in the county of Niagara, so as to carry off the surplus waters of the Erie canal, and to prevent the overflow of lands adjacent thereto, and appropriating money for that purpose," is herewith returned without approval.

This bill proposes to authorize the Superintendent of Public Works to enlarge the west branch of the Eighteen Mile creek near Lockport, to enable it to discharge the surplus waters of the Erie canal and prevent the overflow of lands lying adjacent thereto. The bill makes an appropriation of \$6,000 to pay the expense of the proposed work.

Since the bill has been in my hands, the Superintendent of Public Works has, at my request, personally visited and carefully inspected the locality named, to enable him to determine as to the necessity of the proposed improvement. He expresses the opinion that the work is unnecessary, and that the State cannot properly be called upon to make an expenditure for the purpose indicated.

It is, therefore, my opinion that the bill should not become a law.

ALONZO B. CORNELL.

On motion of Mr. Van Valkenburgh said bill with message was laid on the table.

Senate bill entitled "An act to amend chapter 818 of the Laws of 1866, entitled 'An act to create a separate road district in the town of Middletown, Richmond county,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|------------|----------|-----------------|
| Alvord | Deane | Lefever | Sanders |
| Andrews | Dougherty | Liddle | Sealey |
| Baker, B. F. | Douglass | Low | Shanley |
| Baker, C. S. | Duell | McAvoy | Sherman |
| Beach | Duguid | McCabe | Shuit |
| Beates | Ellis | McCarthy | Skinner |
| Benedict, E. D. | Evans | McDonald | Steele |
| Benedict, T. E. | Ferrie | Mead | Tallmadge |
| Bennett | Fish | Miller | Terpeny |
| Bridges | Fiske | Mooers | Terry |
| Brodsky | Fitzgerald | Morgan | Thilemann |
| Chamberlain | Gillette | Newman | Tozier |
| Chickering | Gorsline | Nowlan | Travis |
| Childs | Gray | O'Brien | Tully |
| Clancy | Gwinup | Parker | Tuthill, H. H. |
| Clark | Hagan | Peck | Tuttle, R. M. |
| Clowes | Havens | Phillips | Van Valkenburgh |
| Congdon | Hayes | Pitcher | Waterbury |
| Cookinham | Hoffman | Potter | Wells, J. L. |
| Cullinan | Howland | Potts | Wiley |
| Curtis | Hurd | Rhodes | Wren |
| Cushing | Husted | Root | Youngs |
| Davis | Ingersoll | Russell | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate returned Senate bill entitled "An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations," with a message that they have agreed to report of conference on said bill in words following:

To the Legislature:

Your committee of conference, to whom were referred the matters of difference between the two houses upon Assembly bill entitled "An act making appropriations for certain expenses of government, and supplying deficiencies in former appropriations," beg leave respectfully to report that they met and have duly considered such matters of difference, and have agreed to recommend that the Assembly do concur in the following amendments to the bill as proposed and adopted in the Senate (reference in all cases being made to the engrossed bill), namely:

Page 3, line 18, strike out the word "three" and insert the word "six."

Same page, line 19, after the word "dollars," insert the following, to wit: "three hundred dollars for carrying Assembly documents and \$300 dollars for carrying Senate documents."

Same page, after line 26, insert the following:

For George A. Martinus, for services as messenger to the committees on judiciary and miscellaneous corporations of the Senate, for the session of 1880, at four dollars per day, the sum of \$550, or so much thereof as may be necessary.

Same page, line 31, strike out the word "fifty" and insert the words "one hundred."

Page 4, after line 34, insert the following:

For Henry A. Glidden, late clerk of the Senate, for preparing a continuation of the general index of documents of the Senate and Assembly from 1870 to 1878, and distributing the same pursuant to a resolution of the Senate adopted May 24, 1877, the sum of \$1,200; and for preparing an index to the journal and testimony taken before the Senate on the trial of the charges against DeWitt C. Ellis, and distributing the same, pursuant to a resolution of the Senate adopted August 17, 1877, the sum of \$500.

For John W. Vrooman, for arranging the testimony, proceedings and journal of the Senate in the trial of the charges against John F. Smyth, late Superintendent of the Insurance Department, and for preparing an index to the same, and for distributing the same pursuant to resolution of the Senate adopted March 12, 1878, the sum of \$500.

For the Clerk of the Assembly, to pay for additional clerical services and for engrossing, \$1,150, to be paid on vouchers giving the items of expenditure and receipts of the parties to whom the same may be paid.

For the Clerk of the Senate, to pay for additional clerical services and for engrossing, \$500, to be paid on vouchers giving the items of expenditure and receipts of the parties to whom the same may be paid.

Page 5, after line 23, insert the following:

For Hon. Robert H. Strahan, for compensation of counsel employed by him in the matter of the contested election for Senator, in 1880, for the eighth senatorial district of this State, and for other expenses incurred by him therein, the sum of \$1,000.

For Hon. James Stevens, for compensation of counsel employed by him in the matter of the contested election for Senator, in 1880, for the twenty-second senatorial district of this State, and for other expenses incurred by him therein, the sum of \$750.

For deficiency in appropriations for compensation of criers and attendants of the Court of Appeals to the close of the current fiscal year, \$2,000, or so much thereof as may be necessary.

For deficiency in appropriations for furniture, books, binding, blanks, printing calendar and other necessary expenses of the office of the clerk of the Court of Appeals, \$500, or so much thereof as may be necessary.

For deficiency in appropriations for repairs, cleaning, labor, gas and other necessary expenses of the State hall, \$500.

For deficiency in appropriations for maintenance of convicts sentenced to penitentiaries, in pursuance of chapter 158 of the Laws of 1856, chapter 585 of the Laws of 1865, chapter 667 of the Laws of 1866, chapter 574 of the Laws of 1869, chapter 247 of the Laws of 1874, and chapter 571 of the Laws of 1875, \$16,000, or so much thereof as may be necessary.

For the actual and necessary traveling and incidental expenses of the agent of the Comptroller to examine the accounts of auctioneers, \$300, or so much thereof as may be necessary.

For payment to the widow and heirs at law of the late John G. Wasson, of interest at six per centum to April 1, 1881, on \$10,000 upon a certificate issued under chapter 830 of the Laws of 1868, \$600.

For the electors of president and vice-president and for special messenger, for compensation and expenses, \$4,000, or so much thereof as may be necessary.

Same page, after item for fire proof safe, insert:

For the compensation and expenses of the fifth justice of the Supreme Court, in the second judicial district, from date of qualification to September 30, 1880, \$4,150, or so much thereof as may be necessary.

For deficiency in appropriations for the stenographers in the second judicial district, appointed under chapter 765 of the Laws of 1868, \$375; said amount to be paid only from moneys which shall have been or shall be paid into the treasury for taxes levied for the purposes of said act and in pursuance thereof.

For deficiency in appropriations for the salary of the Superintendent of the Insurance Department for the current fiscal year, \$2,000, to be refunded to the treasury of the State by the several insurance companies, associations, persons and agents to whom chapter 366 of the Laws of 1859 applies.

For the Comptroller, for the payment of certain expenses incurred in the investigation against Bernard Reilly, late sheriff of the city and county of New York, and incurred under direction of the Governor, for services of stenographer, printing testimony and proceedings, and for witnesses' fees and disbursements, \$1,500, or so much thereof as may be necessary; and for fees of referee therein, \$1,750; and for payment of certain expenses for board and rooms for Senate committee appointed May 22, 1875, "to investigate the departments and offices of the government of the city and county of New York," \$769.58.

The Comptroller is hereby authorized and empowered to examine or cause to be examined the financial affairs and business administration of the Onondaga Salt Springs, under the management of the late superintendent, and for that purpose the Comptroller or the officer designated by him to conduct such examination shall have power to administer oaths and to subpoena witnesses, and require the production of books and papers, and the sum of \$750, or so much thereof as may be necessary, is hereby appropriated to carry this provision into effect.

For Blatchford, Seward, Griswold and Da Costa, as attorneys for James Eckerson, in the action hereinafter named, the sum of \$836.36, being the amount in full payment of the principal of a judgment for costs against the people of this State, in favor of said James Eckerson, in an action commenced in the name of the people by Attorney-General Barlow against Mathew D. Bogart, James Eckerson and others, which judgment was docketed in the Albany county clerk's office on the 31st day of December, 1873; and the further sum of \$360.03 for interest on said judgment. The Comptroller shall pay the above sums to the above-named attorneys, upon their producing to, and filing with, the Comptroller a satisfaction of said judgment, certified to be in due form by the Attorney-General.

For the Attorney-General, to pay the fees of witnesses subpoenaed

to attend before the State Board of Audit and the expense of procuring service of subpoenas upon them, \$500, or so much thereof as may be necessary.

For the Attorney-General, to pay for law books necessary to fill up certain uncompleted sets of State and United States law reports, in the library of the Attorney-General, \$500, or so much thereof as may be necessary.

For deficiency in appropriations for furniture, books, binding, blanks, printing and other necessary expenses of the Attorney-General's office, \$500.

Page 6, after line 31, insert the following:

For the Attorney-General, to pay counsel fees and necessary expenses incurred in the prosecution of indictments at the Rockland county oyer and terminer against the president and secretary of the Rockland savings bank for perjury, embezzlement and larceny, the sum of \$1,400, or so much thereof as may be necessary; and the board of supervisors of the said county at its next annual session is hereby authorized and required to raise by tax the amount hereby appropriated, and to pay the same into the treasury of the State; and to pay counsel and attorneys' fees incurred in the prosecution of William E. Gray, indicted, tried and convicted in 1879, at the New York county oyer and terminer, for the forgery of State bounty bonds, the sum of \$1,000.

Same page, after the word "Tioga" in line 33, insert the following: "the towns of Bombay and Bangor, in the county of Franklin, and the town of Wolcott, in the county of Wayne."

Page 7, line 19, after the word "stenographer," insert the following: "and for the services of such commissioners at the rate of ten dollars each per day for each day of actual service."

Same page, line 20, after the word "thousand," insert the words "five hundred."

Same page, line 28, strike out the word "one" and insert the word "two."

Same page, lines 28 and 29, strike out the word "fourteen," and insert the word "nineteen."

Same page, line 29, strike out the words "sixty-six," and insert the word "fifteen."

Page 9, after line 22, insert the following:

For Ann Higgins, mother of William Higgins, as a gratuity, in full for all claims for damages sustained by her in the loss by death of her said son, who was her sole support, and who died on the 18th day of July, 1879, from injuries received by him while employed on the New Capitol, \$1,000.

Page 9, after item for Thomas J. Lawrence, insert the following:

For James F. Johnson, as a gratuity, in full for all claims for damages for injuries received by him from the falling of a block of granite upon him while in the employ of the State, on the 4th day of September, 1875, and which necessitated the amputation of a leg, \$1,000.

For Chapman S. Strong, as a gratuity, in full for all claims for damages for injuries received by him as a keeper in Auburn State Prison, from the criminal assault of convicts, in November, 1873, and while engaged in the discharge of his duties as such keeper in quelling an outbreak in said prison, \$1,000.

For Lawrence Hagar, father of Charles Hagar, as a gratuity, in full for all claims for damages sustained by him in the loss by death

of his said son, who was his sole support, and who was killed by falling from a scaffold in March, 1880, while at work on the new capitol, \$500.

Same page, after line 33, insert the following:

For the payment of a canal certificate given by a late Canal Commissioner to Henry D. Denison, December 14, 1876, addressed to the Comptroller, for removing obstructions from the outlet of Cayuga lake and the channel of Seneca river, between Cross lake and Montezuma, \$542.48, and for interest thereon the sum of \$108.50.

Page 10, line 7, strike out the word "eight," and insert the word "four."

Page 11, line 14, strike out the word "twelve," and insert the word "seventeen."

Same page, line 15, before the word "dollars," insert the words "and thirty-two."

Same page, after the word "necessary," in line 15, insert the words "and for apparatus, \$5,000."

Same page, after line 15, insert the following:

For the State Normal and Training School, at Brockport, for addition to buildings, \$20,000; for steam heating apparatus, \$12,148; for tin-roofing of old buildings, \$1,352; for furniture, \$2,000; for sewers, including right of way, \$1,500, and for changing, repairing and ventilating old buildings, \$3,000.

For the State Normal and Training School, at Albany, for repairs to buildings, for additions to apparatus and for furniture and books, \$2,000.

Same page, after line 33, insert the following:

For the purchase of 1,250 copies of volume 1 of Hough's Classified Abstract of the laws of New York, during the first century of the State Government, at a rate not to exceed \$4 per volume, \$5,000, or so much thereof as may be necessary, to be paid on the certificate of the Secretary of State, and the work to be distributed by him to such offices of record, public officers, and libraries as are now entitled by law to receive the session laws of this State.

Page 12, after line 12, insert the following:

For the St. Joseph's Institution for the improved instruction of deaf mutes, at Fordham, for the support and instruction of deaf mutes, for various periods of time, in 1878 and 1879, in addition to those provided for by former appropriations, \$1,789.10, or so much thereof as may be necessary.

Same page, after line 17, insert the following:

For the State Board of Charities, for deficiency in appropriations for current expenses, \$2,000.

For the removal of crippled, blind, lunatic and other infirm alien paupers to the countries whence they came, the sum of \$3,000, or so much thereof as may be necessary; the State Board of Charities is hereby authorized to cause the removal to the countries whence they came, of any crippled, blind, lunatic or other infirm alien paupers sent to this country by cities or towns in the various governments of Europe, or by societies, relatives or friends, and who may be found in any poor-house, alms-house or other institutions of charity in this State.

Page 13, after item for the city of Utica, insert the following:

For the city of Syracuse, as an equitable payment of the local as-

assessment and expenses for paving on Salina street, in said city, in front of the Salt Springs office, in 1876, \$382.72, and of the local assessment and expenses for constructing a sewer in Leavenworth avenue and Clark street, in said city, in front of lands belonging to the State, in 1877, \$2,478.76.

Page 14, line 12, strike out the words "State Engineer and Surveyor," and insert the words "Superintendent of Public Works."

Same page, line 19, after the word "dollars," insert the following: "But no part of this appropriation shall be expended, unless in the judgment of the State Engineer and Surveyor the State works cause or contribute to the damages complained of."

Same page, line 28, strike out the word "five," and insert the word "seven."

Same page, line 29, before the word "dollars," insert the words "five hundred."

Page 15, line 9, strike out the word "two," and insert the word "four."

Same page, after line 18, insert the following:

For the construction of a bridge over the west branch of the Hudson river, known as the Sacandaga river, near the village of Northville, in the county of Fulton, \$5,000, to be expended under the direction of the supervisor of the town of Northampton, upon vouchers to be approved by the Comptroller.

For the construction of a bridge over Grass river, in the town of Russell, county of St. Lawrence, on the road leading from Canton to Edwards, \$1,500, to be expended under the direction of the supervisor of said town, upon vouchers to be approved by the Comptroller.

Page 16, after line 16, insert the following:

For repairing the highway upon the Cattaraugus Indian reservation, running from Gowanda through the reservation into the town of Perysburgh in the county of Cattaraugus, changing the line thereof, and for the erection and repair of bridges thereon, the sum of \$3,000, to be expended under the supervision of Millin T. Hill, James Welch and Henry Locke of Gowanda, who are hereby appointed commissioners for that purpose; and for repairing the highway upon such reservation, running from Versailles through the reservation into the town of Collins in Erie county to Lawton's Station, and for the erection and repair of bridges thereon, the sum of \$500, to be expended under the supervision of Elijah H. Lawton and Enos S. Hibbard, of Collins, who are hereby appointed commissioners for that purpose; each of the said five commissioners shall receive out of said sums two dollars per day for each full day occupied by him in and about such service, but the total compensation of said first-named three commissioners shall not exceed the sum of \$200; and the total compensation of said last-named two commissioners shall not exceed the sum of \$75; and no part of the sums hereby appropriated shall be paid over to the commissioners in each case until they shall have executed a bond to the people of this State, to be approved by the Comptroller, conditioned that they will faithfully discharge their duties as such commissioners and truly account under oath to the Comptroller for all moneys received by them for the purposes aforesaid. and no part of said sum shall be expended except upon a plan and estimate of said work which will complete it within the sums above appropriated.

For building the necessary culverts and sluices, and for grading and

graveling the approaches to the bridge over the Onondaga creek on the Onondaga Indian reservation, and for repairing the roadway to the same, on what is called the William Hill road, the sum of \$1,500, or so much thereof as may be necessary, to be expended under the supervision of Daniel Pinckney, of the town of Onondaga, who is hereby appointed a commissioner for that purpose, who shall receive out of the sum herein appropriated three dollars per day for each full day occupied by him in such service, but his total compensation shall not exceed the sum of \$150, and no part of the sum herein appropriated shall be paid over to said commissioner until he shall have executed a bond to the people of this State, to be approved by the Comptroller, for the faithful performance of his duties as such commissioner.

For building a bridge to be constructed of iron, stone and wood across the Tonawanda creek, on the Tonawanda Indian reservation, where said creek is crossed by the Akron road, leading from the county of Erie into the county of Genesee, the sum of \$2,200, to be expended under the supervision of Joseph W. Holmes, Alpha E. Bennett and Daniel Norton, of Alabama, Genesee county, who are hereby appointed commissioners for that purpose, who shall receive out of the sum herein appropriated two dollars per day each for each full day occupied by them in such service, but their total compensation shall not exceed the sum of \$150; and no part of the sum herein appropriated shall be paid over to said commissioners until a like sum of \$2,200 shall be paid to them for the same purpose by the Tonawanda band of Seneca Indians from their annuities or trust fund interest, nor until such commissioners shall give a bond to the people of this State conditioned for the faithful performance of their duties as such commissioners.

Same page, line 22, strike out the words "five hundred," and insert the words "one thousand."

Page 18, after line 7, insert the following:

For the erection of magazines at such State armories as may be designated therefor by the Adjutant-General, and for laying flagging at such armories the sum of \$5,000, or so much thereof as may be necessary, to be expended under the direction of the chief of ordnance, upon plans to be approved by the Adjutant-general, and paid on the audit of the Adjutant-General and the approval of the commander-in-chief.

The balance remaining unexpended of the sum of \$4,000, appropriated in chapter 272 of the Laws of 1879, "for aiding to uniform separate companies, troops and batteries, in cases where their uniform funds, owing to large enlistments, after their annual musters, shall be inadequate for that purpose," being the sum of \$2,000, is hereby re-appropriated, together with the additional sum of \$1,000, which is hereby appropriated, for such purpose and to aid in uniforming companies of regiments; which are in the same exigency for like cause, and for the purchase of such equipments for troops as may be ordered by the Adjutant-General, to be paid on his audit and the approval of the commander-in-chief.

Page 19, after line 12, insert the following:

For replacing the uniforms and equipments belonging to the twelfth separate company National Guard, which were injured or destroyed while that company was on duty at West Albany, under orders of the commander-in-chief, during the riots of July, 1877, as have been or may be audited and allowed by the Adjutant-General, \$1,600, or so

much thereof as may be necessary, to be paid to the credit of the uniform and equipment fund of said company, and to be disbursed upon the same audit and regulations as are required in case of payment of other sums from that fund.

For replacing the uniforms and equipments belonging to the Fifty-fourth regiment, National Guard, which were injured or destroyed, while that regiment was on duty at Hornellsville, under the orders of the commander-in-chief, during the riots of July, 1877, as have been or may be audited and allowed by the Adjutant-General, \$8,480, or so much thereof as may be necessary, to be paid to the credit of the uniform and equipment fund of said regiment, and to be disbursed upon the same audit and regulations as are required in case of payment of other sums from that fund.

For the Adjutant-General, for paying to the seventh separate company of infantry, third brigade, National Guard (formerly the third separate company of infantry, tenth brigade, third division, National Guard), as commutation for rations furnished said company from the 23d to the 29th day of July, 1877, both inclusive, while on duty under orders from the commander-in-chief, \$300, or so much thereof as may be necessary, to be paid on the audit of the Adjutant-General and the approval of the commander-in-chief.

Page 20, line 31, after the word "dollars," insert the following:

For flagging and grading walks in yard, \$1,500; for general repairs, painting, relaying floors, purchase of tools, repairing fences, carts and wagons, \$1,000; for completion of drains and sewers, \$200; for repairing keyroom, putting up gun rack, for locks, keys and repairs in prison hall, \$500; for altering and repairing guard-house, \$250; for relaying floors and building stalls in stable, \$300; for making survey and preparing plans and specification for iron fence, \$267; for preparing plans and specifications, and superintending putting on of new roof to female prison, \$123.50; for new ice-house, \$500; for repairing roofs, \$1,000.

Page 21, line 19, after the word "dollars," insert the following: "for six hundred feet of hose, \$660."

Page 22, line 28, after the word "dollars," insert the following: "and for counsel fees in the Assembly investigation, in 1880, into the circumstances attending the lease of the Daanemora railroad, \$250."

For the Superintendent of State Prisons, to pay Charles D. Bruyn, assignee of Thomas Hamilton, for balance due said Hamilton on account of materials furnished and delivered to the authorities at the State prison at Sing Sing, the sum of \$2,238.93.

Same page, line 25, after the word "thousand," insert the words "seven hundred and fifty."

Same page, line 34, after the word "managers," insert the following: "and to provide a fund for carrying on its industries, to be used under the direction of the managers, \$50,000."

Page 23, line 2, after the word "dollars," insert the following: "for a bridge or an earth embankment and extension of railroad across the ravine south of the main asylum building, to the two groups of buildings south of the ravine, \$10,000; and for the completion of the laundry floor and enlargement of the steward's office, \$5,000."

Same page, line 31, after the word "necessary," insert the following: "and for steam boilers, setting same and connections; for renewals and repairs, including re-setting of boilers; for fixtures for

laundry, drying-room and ironing-rooms and equipment of east and west section; for building driveway under Hudson river railroad bed; for ventilating pipes; for iron doors and window guards; for extending water pipes in laundry; for coal sheds and tramway; for yard walls and fences; for flooring ombras; for draining and paving around portions of the buildings; for plastering air ducts, and for salary of building superintendent, under whose direction the work is to be done, \$24,000."

For the Binghamton Asylum for the Chronic Insane, for window guards; for repairing vestibules; for painting interior wards, extensions and stairways; for repairs to administration building, for building kitchen and store-room; for drains and grading; for excavating beneath floors of basement rooms; for iron water tanks and connections; for materials and labor for plumbing and gas fitting; for furniture for wards, laundry, kitchen and administration building; for fitting up dispensary; for windows in towers; for completing sewerage; for telephonic communication with water-works and city of Binghamton; for farming implements, stock, fertilizers and fencing; for farm buildings; for hay scales; for gas works, laying mains and making connections; for officers' salaries to close of current fiscal year; for deficiency on account of maintenance; for completing, heating and ventilation, including fan house; and for alterations and repairs of south wing, \$64,590, to be expended, except as to existing indebtedness, on contracts approved by the Comptroller.

Same page, strike out from line 32 to line 35, both inclusive, as follows:

For the Asylum for the blind, at Batavia, for re-arranging heating apparatus and the purchase of new boilers, \$700.

Same page, after line 35, insert the following:

For the New York State Asylum for the Blind, at Batavia, for the construction of boiler house and laundry and purchase of heating and other apparatus for the same, \$26,768, to be expended on contracts to be approved by the Comptroller.

For the Thomas Asylum for Orphan and Destitute Indian Children, for perfecting bathing arrangement; for building cellar under laundry; for repairs to exterior of buildings, and for erecting building for nursery rooms and hospital, \$3,450.

The paragraph in chapter 272 of the Laws of 1879, which is in the following words: "Hereafter no person who has not resided within the State for at least one year next prior to application for his or her admission into any State asylum for the idiotic, blind, insane or deaf and dumb, shall be admitted as an inmate therein," is hereby amended so as to read as follows:

"Hereafter no pauper who has not resided within the State for at least one year next prior to application for his or her admission into any State asylum for the idiotic, blind, insane, or deaf and dumb, shall be admitted as an inmate therein."

Page 24, line 17, strike out the word "two" and insert the word "five."

Same page, lines 17 and 18, strike out the words "five hundred."

Same page, after the line 36, insert the following:

The new Capitol Commissioners are hereby charged with the care and superintendence of the south center portion of the new capitol building, when completed, and such other portions thereof as may be

ready for occupancy on the 1st day of January, 1881, and with the employment of the necessary attendants and laborers therefor, and also with the duty of providing for the heating, lighting and cleaning of the same, and for that purpose and for deficiency in appropriations for the care of the capitol, the sum of \$25,000 is hereby appropriated, payable on the order of the new Capitol Commissioners as the same may be required by them.

Transfer the last item so as to follow the item for the Mariners' Family Asylum.

Page 25, after line 9, insert the following:

For Charles Van Benthuyssen and Sons, for printing, pursuant to concurrent resolution passed March 12, 1880, 2,000 copies of the Annual Report of the Superintendent of the Insurance Department, fire and life portion complete, 2,000 copies fire and marine portion of said report, and 1,500 copies of the life and casualty portion of said report, and for binding the same in full cloth, gilt, to be paid upon the certificate of the Superintendent of the Insurance Department of the completion and delivery of the said work, \$5,432.19; the said amount to be paid from the surplus fund in the treasury arising from the excess of moneys paid into the treasury by the Superintendent of the Insurance Department over and above the moneys disbursed on account of said department; for printing and binding, pursuant to the resolution of the Assembly adopted May 19, 1879, 2,625 sets, being 7,875 volumes, of the Annual Report of the Adjutant-General for 1868, being a complete roster of the officers of the volunteer forces of this State during the late war for the preservation of the Union, payable upon due certificate of the proper completion and delivery of the work, \$13,188.22, or so much thereof as may be necessary; for printing and binding 6,000 volumes of the Natural History of the State: volume five, Paleontology, text and plates, the sum of \$13,500, or so much thereof as may be required by the contracts for the publication of said work now in force; for printing testimony taken in the contested election case of Trowbridge against Tighe, in 1879, \$49.76; for printing testimony taken in the investigation of the Brooklyn bridge, in 1879, \$257.37; and for printing testimony taken in the investigation of the Kingston election case, \$163.80.

Page 27, strike out from line 3 to line 9, both inclusive, as follows:

For furnishing 934 copies of the New York Civil List pursuant to concurrent resolution of the Legislature passed February 5, 1878, to be paid on the certificate of the Secretary of State \$1,868.

Same page, line 16, strike out the word "six," and insert the word "seven."

Same page, line 17, strike out the words "seven hundred and fifty."

Same page, line 23, strike out the word "three," and insert the word "four;" and strike out the word "six," and insert the word "five."

Same page, line 24, strike out the words "and twenty-five."

Page 28, line 19, strike out the word "and," first occurring.

Same page, line 25, after the word "dollars," insert the following:

For printing and binding, in cloth, Proceedings of the University Convocation of 1876, \$500, to be paid on the certificate of the Secretary of the Board of Regents; for printing and binding, in cloth, the Manual of the Regents of the University for 1880, \$700, to be paid on the certificate of the Secretary of the Board of Regents; for printing, lithographing, binding and stationery furnished the State Museum of

Natural History, \$500, to be paid on the certificate of the Director of the Museum; for printing 12,000 copies of the Report of the State Assessors, pursuant to concurrent resolution of the Legislature passed February 12, 1880, \$800; for printing and lithographing 1,000 copies of the geological map of the Catskill mountain region and the southern counties of the State, and printing the documents accompanying the same, \$2,000, or so much thereof as may be necessary, to be paid on the certificate of Secretary of the Board of Regents; and for 6,000 copies of the Seventh Annual Report of the Adirondack Survey, furnished pursuant to concurrent resolution of the Legislature passed April 13, 1880, to be paid on the certificate of the Secretary of State, the sum of \$15,000.

Same page, strike out from line 26, to and including line 10, on page 29, as follows:

For Frank Brundage, the respondent in the action hereinafter named, and the appeals thereon, the sum of \$272.51, being the amount in full payment of the principal of three several judgments for costs against the People of this State, in the action commenced by the People of this State, on the relation of John T. Joyce against the respondent, to test the legality of his election, in November, 1878, as county judge of Niagara county, which judgments were docketed in the Niagara county clerk's office, respectively, on the 24th day of May, the 26th day of June, and the 18th day of October, 1879. The Comptroller shall pay the sum above appropriated, upon satisfaction of said three judgments, certified to be in due form by the Attorney-General.

Page 29, after line 10, insert the following:

For Mrs. Barbara Kennedy, widow of Captain John Kennedy, Junior, as a gratuity in full for all claims for damages for the loss by death of her husband, resulting from sickness occasioned by exposure and hardship while in the discharge of his duties as captain in the eighth regiment, National Guard, at Syracuse, under the orders of the Commander-in-Chief, during the riots of July, 1877, \$1,500.

Transfer the last item so as to follow the item Lawrence Hagar.

Also the following:

For building an addition to the State armory at Oswego, on lands recently purchased by the State for such purpose, for the use of a battery or troop of cavalry attached to the sixth brigade, National Guard, the sum of \$15,000, to be expended under the direction of the Adjutant-General, the Inspector-General and the Chief of Ordnance of this State; but no part of said sum shall be expended by them, except upon a contract for the completion of such addition within the limits of this appropriation.

Transfer the last item so as to follow the item for an armory at Poughkeepsie.

Also the following:

For the erection of an armory for the use of the seventeenth separate company of infantry, at Flushing, Queens county, the sum of \$9,000, to be expended under the direction of the Adjutant-General, the Inspector-General and the Chief of Ordnance; but no part thereof shall be expended until the title to the land upon which such armory is to be constructed shall have been vested in the State free from all incumbrances.

Transfer the last item so as to follow the item for armory at Oswego.

Same page, after line 32, insert the following:

PAYABLE FROM THE UNITED STATES DEPOSIT FUND.

Capital.

For investment of the capital of the United States deposit fund, \$150,000, or so much thereof as may be necessary, in addition to all former appropriations for such purpose.

Revenue.

For the Comptroller to pay damages, attorney's costs and disbursements in the suit of Francis M. Thompson against the commissioners for loaning certain moneys of the United States for the county of Otsego, the sum of \$2,000, or so much thereof as may be necessary.

Your committee further report that they have agreed to recommend that the Assembly do concur in the amendments to the bill adopted in the Senate, after being amended in the conference so as to read as follows:

Page 5, after item for the electors of President, insert:

For the Comptroller, to pay the expenses of serving notices on occupants of lands to which the State acquired title from the tax sale of 1877, of procuring and recording deeds for and perfecting title to said lands, and of ascertaining the value of lands to which the State has obtained title from tax sales, the sum of \$4,000, or so much thereof as may be necessary; and for the purchase of fire-proof safe, for use in the executive chamber, \$600, to be expended under the direction of the Governor.

Page 9, after item for Ann Higgins, insert:

For Thomas J. Lawrence, corporal, company F, twenty-second regiment, National Guard, as a gratuity, who was permanently disabled for life while on duty as required by law in rifle practice, \$1,000.

Page 10, after line 30, insert the following:

For the annual salary of an entomologist, to be appointed by the Governor, in place of Asa Fitch, deceased, \$2,000

Page 13, after line 21, insert the following:

For the city of Utica, for assessment for the construction, in 1875, of the Third and Seventh ward sewer outlet in front of State property in said city, \$482.20; and for the Knox street sewer, \$52.33.

Page 16, after line 19, insert the following:

For the Soldiers and Sailors' Home, at Bath, for the erection of a hospital, \$10,000; for improvement of grounds, for fencing and for conducting farm, \$5,000; and for the erection of a chapel, \$5,000.

Page 19, after line 36, insert the following:

For deficiency in appropriations for the erection of the State armory at Newburgh, the sum of \$5,000, to be paid on the audit of the Adjutant-General and the approval of the Commander-in-Chief.

Page 23, line 23, after the word "necessary" insert the following:

For the Buffalo asylum for the insane, for maintenance, \$15,000, or so much thereof as may be necessary; for grading and subsoiling garden; for fertilizer for grounds; for grass and garden seeds; and for fences, \$5,000.

Page 24, line 18, after the word "dollars" insert the following:

And for the erection of additional buildings for a primary and a graduating department for boys, \$65,000, but no part of this sum shall be expended except upon plans to be approved by the Comptroller.

For the society for the reformation of juvenile delinquents, on Randall's Island, for deficiency in appropriations for current expenses,

\$30,000; for alterations of, and additions to dormitory for employees, and for remodeling dining room, \$3,000; for the erection of a suitable building for storing coal, \$2,000, and for the erection of galleries in the chapel, and for furnishing and painting the same, \$3,000.

Your committee further report that they have agreed to recommend that the Senate do recede from the following amendments to the bill, which were adopted in the Senate, namely:

Page 5, after item for Blatchford and others, insert item for Denison and others, as follows:

For Hiscock, Gifford and Doheny, as attorneys for Henry D. Denison and others, in the action hereinafter named, the sum of \$101,889.59, being the amount in full payment of the principal of a judgment for costs and damages against the People of this State in favor of Henry D. Denison, James J. Belden, A. Cadwell Belden and Thomas Gale, in an action commenced in the name of the People by the late Attorney-General Pratt against the said Denison, Belden, Belden and Gale, which judgment was docketed in the Albany county clerk's office on the 28th day of April, 1880; the Comptroller shall pay the above sum to the above-named attorneys upon their producing to, and filing with, the Comptroller a satisfaction of said judgment, certified to be in due form by the Attorney-General.

In case the Attorney-General has already taken, or shall, within 60 days after the passage of this act, take legal proceedings to set aside or modify the above-named judgment, no part of the sum above appropriated shall be paid except in accordance with the final decree, order or judgment which may be made by the court upon such proceedings.

Page 5, after item for stenographers in second judicial district insert:

To enable the Governor to carry out the provisions of chapter 134 of the Laws of 1878, and 306 of the Laws of 1879, the sum of \$25,000, or so much thereof as may be necessary, payable on vouchers to be approved by the Governor.

Page 6, strike out from line 12 to line 31, both inclusive, as follows:

For the Attorney-General, the sum of \$2,000 to pay counsel fees and expenses incurred on the retainer of Attorney-General Fairchild in the suit of the People against the Bank of North America, in the superior court in the city of New York; and the further sum of \$515 for services in divers suits, in 1878 and 1879, on the retainer of Attorney-General Fairchild.

Same page, after item for counsel fees in the prosecution of William E. Gray, insert:

For Frank S. Smith for services as counsel to the committee appointed by the Assembly of 1880, to investigate the matters attending the lease of the Dannemora railroad, \$250.

Page 8, strike out from line 22 to line 27, both inclusive, as follows:

For raising and reburnishing the monument erected to commemorate the capture of Major Andre, to be expended under the direction of the Monument Association of the capture of Andre, on vouchers to be approved by the Comptroller, \$1,000.

Same page, strike out from line 27 to line 35, both inclusive, and insert as follows:

For the relief of Carl Meisner, member of battery G, seventh division, National Guard, State of New York, who was permanently dis-

abled for life by the premature discharge of a cannon while on duty with his battery, at Elmira, N. Y., on the 30th day of May, 1879, \$1,500.

Page 11, strike out from line 1 to line 4, both inclusive, as follows:

For the State Cabinet of Natural History, for the purchase of the collection of objects of natural history owned by Charles D. Walcott, comprising not less than 12,000 specimens, \$4,000.

Same page, strike out from line 22 to line 24, both inclusive, as follows:

For the Comptroller, for the purchase of the bronze statue of Robert R. Livingston, now in the capitol, \$5,000.

Page 19, strike out from line 13 to line 30, both inclusive, as follows:

For replacing the uniforms and equipments belonging to the ninth regiment of the National Guard, which were injured or destroyed while that regiment was on duty at West Albany, under the orders of the Commander-in-Chief, during the riots of July, 1877, as have been or may be audited and allowed by the Adjutant-General, \$7,738.50, or so much thereof as may be necessary, to be paid to the credit of the uniform and equipment fund of said regiment, and to be disbursed upon the same audit and regulations as are required in case of payment of other sums from that fund.

Page 25, strike out from line 1 to line 9, both inclusive, as follows:

For the Mariners' Family Asylum, on Staten Island, to reimburse it for moneys paid for insurance, repairs, drainage and other improvements on and around the buildings, the sum of \$7,000, and for painting and plumbing, for building a new roof to main building and erection of new barn, the sum of \$3,000.

Your committee further report that they have agreed to recommend that the Senate do recede from its action on the following items and do concur therein after being amended in conference so as to read as follows:

Page 7: For deficiency in appropriations, for expenses of committees for investigation, to defray expenses for printing testimony and report of proceedings of the special committee on railroads, appointed under resolution of the Assembly of 1879, \$15,118.85, on vouchers to be approved by the Comptroller.

And your committee further report that they have agreed to recommend that the two Houses do concur in the following item as the same is proposed to be amended in conference; namely:

For Auburn prison, for repairing roofs, \$1,000; for introduction of gas into cells, \$1,500; for apparatus and fixtures for heating the shops and extinguishing fires therein, \$2,000; for ventilation of wings, \$500; for rebuilding and enlarging shops, \$6,000; for repairing and refurnishing chapel and officers' quarters, \$1,000, and for library, \$500.

All of which is respectfully submitted.

ALBANY, May 21, 1880.

D. MCCARTHY,
WATERS W. BRAMAN,
JOHN C. JACOBS,

Committee on the part of the Senate.

J. W. HUSTED,
T. G. ALVORD,
W. P. MOOERS,
C. M. TITUS,
JOHN SHANLEY,

Committee on the part of the Assembly.

Mr. Skinner moved to concur in the report of the conference committee, with a further amendment in words following :

Line 616, after the word "dollars" insert the following : "And for deficiency in appropriations for the erection at Watertown \$11,643, or so much thereof as may be necessary."

Mr. Husted moved that the conference committee report on the supply bill, with amendments, be made a special order for to-morrow morning, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The Senate sent for concurrence the following resolutions :

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill No. 407, entitled "An act to secure the payment of mechanics, laborers and workmen who perform work, also, persons furnishing materials toward the erection, altering or repairing buildings, wharves, vaults, or any other structures in the cities of the State of New York," for amendment.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to concur in said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein.

Also,

Resolved (if the Assembly concur), That there be printed 1000 copies of the Report of the Superintendent of the Asylum for Insane Convicts at Auburn for the use of the Superintendent, and 500 copies for the use of the Legislature.

Ordered, That said resolution be referred to the committee on public printing.

On motion of Mr. Alvord, and at ten o'clock and thirty minutes, the House adjourned.

TUESDAY MORNING, MAY 25, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Magee.

The journal of yesterday was read and approved.

Mr. Speaker stated that he should rule that no new matter could be considered or entertained by the House during the consideration of the report of the conference committee on the annual supply bill, but that the House must either adopt it or reject it, or non-concur, and call for a new conference committee.

The Senate sent for concurrence the following bills :

"An act to amend and provide for the printing and publication of an act entitled 'An act supplemental to the Code of Civil Procedure, and to amend certain provisions of the Revised Statutes applicable thereto,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 613 of the Laws of 1857, entitled 'An act to incorporate the village of Kinderhook, in the county of Columbia, passed April 8, 1838,' which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Alvord, and by unanimous consent, said bill was ordered to a third reading.

"An act to provide for the revision of the special and local laws affecting public interests in the city of New York," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. E. A. Carpenter, and by unanimous consent, said bill was substituted for Assembly bill No. 809, now on order of third reading.

A message from the Senate was received in the words following:

IN SENATE, May 20, 1880.

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act establishing the compensation of the county clerks in the counties of Richmond and Franklin, in lieu of charges for all services rendered said counties."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Hogan, and by unanimous consent, the same was amended as follows:

Strike out all of section 2 and insert as follows:

§ 2. This act shall take effect, so far as its provisions apply to the county of Richmond, on the 1st day of January, 1882, and as far as its provisions apply to the county of Franklin, on the 1st day of January, 1883.

And as amended, passed and ordered sent to the Assembly for concurrence.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|----------------|
| Alvord | Olowes | Havens | Root |
| Andrews | Cohen | Howland | Russell |
| Baker, C. S. | Comstock | Hurd | Seeley |
| Beach | Congdon | Ingersoll | Shanley |
| Beates | Cookinham | Kennedy | Sheridan |
| Benedict, E. D. | Cullinan | Lefever | Sherman |
| Benedict, T. E. | Curtis | Liddle | Shuit |
| Bennett | Cushing | Lindsay | Sipp |
| Bradley | Davis | McCabe | Sisson |
| Brennan | Deane | Miller | Skinner |
| Bridges | Douglass | Mooers | Strait |
| Brodaky | Duguid | Morgan | Terry |
| Bullock | Evans | Newman | Travis |
| Carpenter, E. A. | Ferris | Nowlan | Tuthill, H. H. |
| Carpenter, I. S. | Fish | O'Brien | Tuttle, R. M. |
| Case | Fiske | Parker | Waterbury |
| Catlin | Fitzgerald | Phillips | Wells, J. L. |
| Chamberlain | Gorsline | Pitcher | Weston |
| Chickering | Gray | Potts | Wren |
| Childs | Griggs | Roberts | Youngs |
| Clark | Gwinup | | |

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|----------------|
| Alvord | Comstock | Ingersoll | Seeley |
| Andrews | Congdon | Kennedy | Shanley |
| Baker, C. S. | Costello | Lefever | Sheridan |
| Beach | Cullinan | Liddle | Shuit |
| Beates | Curtis | Lindsay | Sipp |
| Benedict, E. D. | Cushing | McCabe | Sisson |
| Benedict, T. E. | Davis | McDonald | Skinner |
| Bennett | Deane | Miller | Slingerland |
| Bradley | Douglass | Mooers | Strait |
| Brennan | Duguid | Morgan | Terpeny |
| Bridges | Evans | Newman | Terry |
| Brodsky | Ferris | Nowlan | Tozier |
| Bullock | Fish | O'Brien | Travis |
| Carpenter, E. A. | Fiske | Parker | Treanor |
| Carpenter, I. S. | Fitzgerald | Phillips | Tuthill, H. H. |
| Catlin | Gorsline | Pitcher | Tuttle, R. M. |
| Chamberlain | Gray | Potts | Waterbury |
| Chickering | Griggs | Rhodes | Wells, J. L. |
| Ohilda | Gwinup | Root | Weston |
| Clark | Howland | Russell | Wren |
| Clowes | Hurd | Sanders | Youngs |
| Cohen | | | |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

A message from the Senate was received in the words following :

IN SENATE, May 24, 1880.

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to amend chapter 440 of the Laws of 1876, entitled 'An act to amend an act entitled 'An act to incorporate the city of Cohoes, and the acts amendatory of the same.'"

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Braman, and by unanimous consent, the same was amended as follows :

Section 1, line 8 of engrossed bill, strike out the word "exclusive."

Section 2, lines 77, 78, 79 and 80, strike out the words: "And such recorder shall also have, within the city of Cohoes, all the powers and jurisdiction of a supreme court judge at chambers;" same section, lines 84 and 85, strike out the words "and the powers of a justice of the supreme court at chambers;" same section, lines 102, 103, 104, 105, 106 and 107, strike out the words "and shall be entitled to receive the sum of three dollars per diem for every day actually spent in such trial or hearing, to be audited, allowed and paid in the manner provided by law, and a like sum shall be deducted from the annual salary of said recorder."

And as amended, passed, re-engrossed, and ordered sent to the Assembly for concurrence.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Cookinham | Lefever | Seeley |
| Andrews | Cullinan | Liddle | Sheridan |
| Baker, C. S. | Curtis | Lindsay | Sherman |
| Beach | Cushing | McCabe | Shuit |
| Beates | Davis | McDonald | Sipp |
| Benedict, E. D. | Deane | Miller | Sisson |
| Benedict, T. E. | Douglass | Mooers | Skinner |
| Bennett | Duguid | Morgan | Steele |
| Bradley | Evans | Newman | Strait |
| Brennan | Ferris | Nowlan | Terry |
| Bridges | Fish | O'Brien | Tormey |
| Brodsaky | Fiske | O'Connor | Travis |
| Bullock | Fitzgerald | Parker | Treanor |
| Carpenter, I. S. | Gorsline | Peck | Tully |
| Catlin | Gray | Phillips | Tuthill, H. H. |
| Chamberlain | Griggs | Pitcher | Tuttle, R. M. |
| Chickering | Gwinup | Potts | Waterbury |
| Clark | Howland | Rhodes | Wells, J. L. |
| Clowes | Hurd | Root | Weston |
| Cohen | Ingersoll | Russell | Wren |
| Comstock | Kennedy | Sanders | Youngs |
| Congdon | | | |

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Cookinham | Lefever | Sheridan |
| Andrews | Cullinan | Liddle | Sherman |
| Baker, C. S. | Curtis | Lindsay | Shuit |
| Beach | Cushing | McCabe | Sipp |
| Beates | Davis | McTernan | Sisson |
| Benedict, E. D. | Deane | Miller | Skinner |
| Benedict, E. D. | Douglass | Mooers | Strait |
| Bennett | Duguid | Morgan | Terry |
| Bradley | Evans | Newman | Tormey |
| Brennan | Ferris | Nowlan | Tozier |
| Bridges | Fish | Parker | Travis |
| Brodsaky | Fiske | Peck | Treanor |
| Bullock | Fitzgerald | Phillips | Tuthill, H. H. |
| Carpenter, E. A. | Gorsline | Pitcher | Tuttle, R. M. |
| Carpenter, I. S. | Gray | Potts | Waterbury |
| Catlin | Griggs | Rhodes | Wells, D. A. |
| Chamberlain | Gwinup | Roberts | Wells, J. L. |
| Chickering | Hayes | Root | Weston |
| Clark | Howland | Russell | Wiley |

Clowes
Comstock
Congdon

Hurd
Ingersoll
Kennedy

Sanders
Seeley
Shanley

Wren
Youngs

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

A message was received from the Senate in words following:

IN SENATE, *May 20, 1880.*

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act in relation to arrears of personal taxes in the city of New York."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Seebacher, and by unanimous consent, the same was amended as follows:

Section 1, line 1, after the word "within," strike out the words "one year" and insert "six months."

And as amended passed, re-engrossed and ordered sent to the Assembly for concurrence.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Cullinan | Liddle | Sherman |
| Andrews | Curtis | Lindsay | Shuit |
| Baker, C. S. | Cushing | McCabe | Sipp |
| Beach | Davis | McDonald | Sisson |
| Beates | Deane | Miller | Skinner |
| Benedict, E. D. | Duguid | Mooers | Steele |
| Benedict, T. E. | Evans | Morgan | Strait |
| Bennett | Ferris | Newman | Tallmadge |
| Bradley | Fish | Nowlan | Terpeny |
| Brennan | Fiske | Parker | Terry |
| Bridges | Fitzgerald | Peck | Tormey |
| Brodsky | Gibbs | Phillips | Tozier |
| Bullock | Gorsline | Pitcher | Travis |
| Carpenter, I. S. | Gray | Potter | Treanor |
| Case | Griggs | Potts | Tuthill, H. H. |
| Catlin | Gwinup | Rhodes | Tuttle, R. M. |
| Chamberlain | Hayes | Roberts | Waterbury |
| Chickering | Howland | Root | Wells, D. A. |
| Clark | Hurd | Russell | Wells, J. L. |
| Clowes | Husted | Sanders | Weston |
| Cohen | Ingersoll | Seeley | Wiley |
| Comstock | Kennedy | Shanley | Wren |
| Congdon | Lefever | Sheridan | Youngs |
| Cookinham | | | |

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.]

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Cookinham | Kennedy | Sheridan |
| Andrews | Cullinan | Lefever | Sherman |
| Baker, C. S. | Curtis | Liddle | Shuit |
| Beach | Cushing | Lindsay | Sipp |
| Beates | Davis | McCabe | Sisson |
| Benedict, E. D. | Deane | Miller | Skinner |
| Benedict, T. E. | Douglass | Mooers | Steele |
| Bennett | Duguid | Morgan | Tallmadge |
| Bradley | Evans | Newman | Terpeny |
| Brennan | Ferris | Nowlan | Titus |
| Bridges | Fish | O'Brien | Tormey |
| Brodsky | Fiske | Parker | Tozier |
| Bullock | Fitzgerald | Peck | Travis |
| Carpenter, E. A. | Gibbs | Phillips | Treanor |
| Carpenter, I. S. | Goralline | Pitcher | Tuthill, H. H. |
| Case | Gray | Potts | Tuttle, R. M. |
| Oatlin | Griggs | Rhodes | Waterbury |
| Chamberlain | Gwinup | Roberts | Wells, D. A. |
| Chickering | Hayes | Root | Wells, J. L. |
| Clark | Howland | Russell | Weston |
| Clowes | Hurd | Sanders | Wiley |
| Comstock | Husted | Seeley | Wren |
| Congdon | Ingersoll | Shanley | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

A message was received from the Governor, in words following :

STATE OF NEW YORK, EXECUTIVE CHAMBER, }
ALBANY, May 24, 1880. }

To the Assembly:

Pursuant to a joint resolution of the Senate and Assembly, Assembly bill No. 601, entitled "An act to provide for leasing wharf property necessary for ferry purposes along with the franchise of a ferry with the city of New York," is herewith returned for amendment.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 89 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------|
| Alvord | Davis | McCabe | Shuit |
| Andrews | Deane | McDonald | Sipp |
| Baker, C. S. | Douglass | McTernan | Sisson |
| Beach | Ferris | Miller | Skinner |
| Beates | Fish | Mitchell | Steele |
| Benedict, E. D. | Fiske | Mooers | Tallmadge |
| Bennett | Fitzgerald | Morgan | Terpeny |
| Bridges | Gibbs | Newman | Terry |
| Brodsky | Gillette | Nowlan | Titus |
| Bullock | Goralline | O'Brien | Tormey |
| Carpenter, I. S. | Gray | O'Connor | Tozier |

| | | | |
|-------------|-----------|----------|----------------|
| Case | Griggs | Parker | Travis |
| Catlin | Gwinup | Phillips | Treanor |
| Chamberlain | Hayes | Pitcher | Tuthill, H. H. |
| Chickering | Howland | Potter | Tuttle, R. M. |
| Childs | Hurd | Potts | Waterbury |
| Clark | Husted | Rhodes | Wells, D. A. |
| Clowes | Ingersoll | Roberts | Wells, J. L. |
| Cornstock | Kennedy | Root | Weston |
| Congdon | Lefever | Russell | Wiley |
| Cookinham | Liddle | Seeley | Wren |
| Cullinan | Lindsay | Sheridan | Youngs |
| Curtis | | | |

Those who voted in the negative, were
Crapser

On motion of Mr. Treanor, and by unanimous consent, said bill was amended in words following:

Strike out all of section 2. Change number of 3d section to 2d section, and 4th to 3d.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 89 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Curtis | Lindsay | Sheridan |
| Andrews | Cushing | McCabe | Sherman |
| Baker, C. S. | Davis | McCarthy | Shuit |
| Beach | Deane | McDonald | Sipp |
| Beates | Duguid | Miller | Sisson |
| Benedict, T. E. | Evans | Mitchell | Skinner |
| Brennan | Fish | Mooers | Tallmadge |
| Bridges | Fiske | Morgan | Terpeny |
| Brodsky | Fitzgerald | Newman | Titus |
| Bullock | Gibbs | Nowlan | Tortney |
| Carpenter, E. A. | Gillette | O'Brien | Tozier |
| Carpenter, I. S. | Gorsline | Parker | Travis |
| Case | Gray | Peck | Treanor |
| Catlin | Griggs | Phillips | Tuthill, H. H. |
| Chamberlain | Havens | Pitcher | Tuttle, R. M. |
| Chickering | Hayes | Potter | Waterbury |
| Childs | Howland | Potts | Wells, D. A. |
| Clancy | Hurd | Roberts | Wells, J. L. |
| Clark | Ingersoll | Root | Weston |
| Clowes | Kennedy | Russell | Wiley |
| Cohen | Lefever | Sanders | Wren |
| Congdon | Liddle | Seeley | Youngs |
| Cullinan | | | |

Those who voted in the negative, were
Crapser

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The Senate returned Assembly bill entitled "An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers,'" with a message that they have concurred in the passage of the same with the following amendments:

Section 1, line 8, strike out the word "Niagara."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|-----------|----------------|
| Alvord | Cullinan | Ingersoll | Sherman |
| Andrews | Curtis | Kennedy | Shuit |
| Baker, C. S. | Cushing | Lefever | Sipp |
| Beach | Davis | Liddle | Sisson |
| Beates | Deane | Lindsay | Steele |
| Benedict, E. D. | Douglass | McAvoy | Strait |
| Brennan | Duguid | McCarthy | Tallmadge |
| Bridges | Ferris | McDonald | Terpeny |
| Brodaky | Fish | Miller | Titus |
| Bullock | Fiske | Mitchell | Tormey |
| Carpenter, E. A. | Gibbs | Moors | Tozier |
| Carpenter, I. S. | Gillette | Morgan | Treanor |
| Case | Gorsline | Nowlan | Tuthill, H. H. |
| Catlin | Gray | Parker | Tuttle, R. M. |
| Chamberlain | Griggs | Peck | Waterbury |
| Chickering | Gwinup | Potter | Wells, J. L. |
| Childs | Hayes | Potts | Weston |
| Clark | Hoffman | Rhodes | Wiley |
| Clowes | Howland | Roberts | Youngs |
| Comstock | Hurd | Russell | Mr. Speaker |
| Congdon | Husted | Seeley | |

Those who voted in the negative, were

Crapser

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act to amend chapter 554 of the Laws of 1873, entitled 'An act amending chapter 837, Laws of 1868, and chapter 623, Laws of 1869, in reference to the laying out, opening and continuing Bushwick avenue, in the town of New Lots, Kings county.'"

"An act to authorize the postponement of the levy of a tax to pay bonds issued by the town of Volney in the county of Oswego, to facilitate the construction of the New York and Oswego Midland railroad."

"An act to repeal chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties.'"

"An act to authorize and require the Secretary of State to collect and report labor statistics."

"An act to amend chapter 101 of the Laws of 1879, entitled 'An act to amend section 28 of article 2 of title 10 of chapter 8 of part 3 of the Revised Statutes, relating to summary proceedings to recover the possession of land.'"

"An act to amend chapter 381 of the Laws of 1875, entitled 'An act supplemental to an act entitled 'An act to provide for the incor-

poration of religious societies, and of the several acts amendatory thereof.”

“An act for the relief of James B. Brady.”

“An act to amend chapter 17 of the Laws of the second meeting of the fifty-first session of the Legislature of the State of New York, entitled ‘An act to incorporate the contributors to the Northern dispensary of the city of New York.’”

“An act authorizing the Adjutant-General, the Inspector-General, and the Commissary-General to audit the claim of the eleventh regiment, National Guard of the State of New York, for uniforms and equipments worn out in the United States service during the late war.”

“An act to amend chapter 252 of the Laws of 1879, entitled ‘An act to amend chapter 319 of the Laws of 1848, entitled ‘An act for the incorporation of benevolent, charitable, scientific and missionary societies.’”

The Senate returned the bill entitled “An act making appropriation for the payment of certain awards made by the State Board of Audit,” with a message that they had passed the same with the following amendments:

Strike out all after the words “from the general fund,” and insert the following:

For payment of awards made by the State Board of Audit, the sum of \$150,648.25, or so much thereof as may be necessary, as follows: For Francis Swift, \$39,375.12, and for interest thereon, \$2,362.50; for Charles A. Danolds, \$65,000, and for interest thereon, \$3,900; for George Worthington, \$25,000, and for interest thereon, \$1,500; for Timothy J. Sullivan, \$8,346.18; for the county of Erie, \$2,500; for Allen Rutherford, \$2,600.10, and for Robert F. McIntyre, \$61.35.

Within three months after the passage of this act, either or all of the parties mentioned in the first section hereof in whose favor awards were made by the State Board of Audit, may serve a notice of appeal on the State Board of Audit, and the Attorney-General appealing to the Court of Appeals from the audit made by said Board of Audit to said party or parties, and the said Board of Audit shall, within ten days after said notice of appeal shall be served, file with the clerk of the Court of Appeals a true copy of all papers, proceedings, evidence and audit made in said claim or claims so appealed by said person or persons, and shall certify that the same is a true copy. Jurisdiction is hereby conferred upon said Court of Appeals to hear and determine said appeal on the certified copy of said proceedings, papers, evidence and audit, and the said court shall render judgment and adjudicate and determine the same between the State and said person or persons so appealing as shall be equitable and just, and shall have full authority to consider both the law and the evidence in making such determination, and may affirm, modify, or reverse said audit or audits. Said appeal shall be placed on the preferred calendar of said court, and be brought on for hearing and argument on the usual notice to be served on the Attorney-General, who is directed to appear for and on behalf of the State. The party or parties appealing shall cause copies of said proceedings, papers, evidences, audit and certificate to be printed for the use of the court and the Attorney-General, and shall serve at least five copies on the Attorney-General, with notice of hearing and argument. No part or portion of the sum appropriated by the first section

of this act shall be paid until after such appeal and the final determination of the Court of Appeals, and such sum or sums only shall be paid as directed by said court in its determination, except in such cases as the Attorney-General shall advise the Comptroller there are no objections against payment, except the cases of Charles A. Danolds, George Worthington, Timothy J. Sullivan, and Francis Swift, shall not be paid until after appeal and determination of said court.

Section 3. This act shall take effect immediately.

Mr. Brennan moved to non-concur in the amendments of the Senate to the above entitled bill, and request a conference committee on the part of the House, and request like committee on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate returned the bill entitled "An act to amend sections 4 and 5 of title 2 of chapter 714 of the Laws of 1869, entitled 'An act to incorporate the city of Watertown,'" with a message that they had passed the same with the following amendments:

Strike out all after the enacting clause, and insert the following:

Section 1. Sections 4 and 5 of title 2 of chapter 714 of the Laws of 1869, entitled "An act to incorporate the city of Watertown," are hereby amended so as to read as follows:

§ 4. The annual election of officers of said city shall be held on the first Tuesday after the first Monday of November in each year, at such place or places in each ward within said city as the common council may designate, and at least eight days' notice of the time and places of such election shall be given by the chamberlain of said city by publication in all the newspapers printed in said city, and by putting and posting at least six printed notices thereof in each ward, at least eight days prior thereto.

§ 5. The polls of every election shall be opened at sunrise, and kept open until sunset.

§ 2. Section 1 of title 5 of chapter 714 of the Laws of 1869, entitled "An act to incorporate the city of Watertown," as amended by chapter 810 of the Laws of 1871, and as further amended by chapter 368 of the Laws of 1876, is hereby further amended so as to read as follows:

§ 1. The common council may cause to be raised by taxation, upon the taxable property in the city, such sum as in their judgment the wants and welfare of the city may demand in each year; for a fund to be denominated the "highway fund," a sum not exceeding fourteen cents on every one hundred dollars of the valuation of property upon the assessment roll; for a fund to be denominated the "general fund," a sum not exceeding fourteen cents upon every one hundred dollars of the valuation of property on the assessment roll; for a fund to be denominated "the contingent fund," a sum not exceeding seven cents upon every one hundred dollars of the valuation of property upon the assessment roll; and for a fund to be denominated "the sewer fund," a sum not exceeding three cents upon every one hundred dollars of the valuation of property upon the assessment roll; and the common council of the said city are authorized and directed, when necessary, to borrow, in anticipation of the one-year's amount, or any part thereof, a sum not exceeding the one-half part of the taxes to be raised, levied and collected as aforesaid.

pairing roofs, \$1,000; for introduction of gas into cells, \$1,500; for apparatus and fixtures for heating the shops and extinguishing fires therein, \$2,000; for ventilation of wings, \$500; for rebuilding and enlarging shops, \$6,000; for repairing and refurnishing chapel and officers' quarters, \$1,000, and for library, \$500."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Crapser moved to non-concur in so much of said report as was contained in lines 567 to 572, inclusive, as follows: "For the erection of an armory for the use of the seventeenth separate company of infantry, at Flushing, Queens county, the sum of \$9,000, to be expended under the direction of the Adjutant-General, the Inspector-General and the Chief of Ordnance; but no part thereof shall be expended until the title to the land upon which such armory is to be constructed shall have been vested in the State free from all incumbrances."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 37 }
{ NOES 61 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|----------|-----------------|
| Baker, B. F. | Curtis | Havens | Peck, |
| Beach | Douglass | Howland | Rhodes |
| Brennan | Ellis | Liddle | Sherman |
| Bridges | Evans | McAvoy | Skinner |
| Carpenter, E. A. | Fish | McCabe | Slingerland |
| Carpenter, I. S. | Gillette | McTernan | Tozier |
| Chickering | Griggs | Miller | Tuttle, R. M. |
| Childs | Grosse | Mitchell | Van Valkenburgh |
| Cookinham | Gwinup | Parker | Varnum |
| Crapser | | | |

Those who voted in the negative, were

| | | | |
|-----------------|------------|----------|----------------|
| Alvord | Dougherty | Morgan | Sipp |
| Andrew | Duell | Nowlan | Sisson |
| Baker, C. S. | Ferris | O'Brien | Tallmadge |
| Benedict, E. D. | Fitzgerald | O'Connor | Terpeny |
| Bradley | Gorsline | Phillips | Terry |
| Brodsky | Gray | Pitcher | Titus |
| Bullock | Hagan | Potter | Tormey |
| Case | Hayes | Potts | Travis |
| Catlin | Hurd | Roberts | Treanor |
| Chamberlain | Husted | Root | Tuthill, H. H. |
| Comstock | Ingersoll | Russell | Walsh |
| Congdon | Kennedy | Seeley | Waterbury |
| Costello | Lefever | Shanley | Wells, D. A. |
| Cullinan | McDonald | Sheridan | Wren |
| Cushing | Moors | Shuit | Youngs |
| Davis | | | |

Mr. E. A. Carpenter moved to non-concur in so much of said report as was contained in lines 214 to 219, inclusive, as follows: "For the State Normal and Training School, at Brockport, for addition to building, \$20,000; for steam heating apparatus, \$12,148; for tin roofing of old buildings, \$1,352; for furniture, \$2,000; for sewers, including right of way, \$1,500, and for changing, repairing and ventilating old buildings, \$3,000.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Ellis moved to non-concur in so much of said report as was contained in lines 679 to 687, inclusive, as follows: "For replacing the uniforms and equipments belonging to the Ninth Regiment of the National Guard, which were injured or destroyed while that regiment was on duty at West Albany, under the orders of the commander-in-chief, during the riots of July, 1877, as have been or may be audited and allowed by the Adjutant-General, \$7,738.50, or so much thereof as may be necessary, to be paid to the credit of the uniform and equipment fund of said regiment, and to be disbursed upon the same audit and regulations as are required in case of payment of other sums from that fund."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Peck moved to non-concur in so much of said report as was contained in lines 675 to 676, inclusive, as follows: "For the Comptroller, for the purchase of the bronze statue of Robert R. Livingston, now in the capitol, \$5,000."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 19 }
{ NOES 56 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|---------|----------------|
| Brennan | Clowes | Fish | Slingerland |
| Bridges | Crapser | Grosse | Tuthill, H. H. |
| Carpenter, E. A. | Curtis | Gwinup | Varnum |
| Case | Douglass | Howland | Wren |
| Chickering | Ellis | Peck | |

Those who voted in the negative, were

| | | | |
|------------------|-----------|----------|---------------|
| Alvord | Davis | Miller | Shuit |
| Andrews | Deane | Mitchell | Sisson |
| Baker, B. F. | Duguid | Mooers | Tallmadge |
| Baker, C. S. | Ferris | Nowlan | Terpeny |
| Beates | Fiske | O'Brien | Terry |
| Benedict, E. D. | Gorsline | O'Connor | Titus |
| Bradley | Hayes | Phillips | Tormey |
| Brodsky | Hurd | Pitcher | Tozier |
| Bullock | Husted | Potts | Travis |
| Carpenter, I. S. | Ingersoll | Roberts | Tuttle, R. M. |
| Clark | Kennedy | Russell | Walsh |
| Cohen | Lefever | Seeley | Waterbury |
| Comstock | Lindsay | Shanley | Wells, J. L. |
| Cushing | McCabe | Sherman | Youngs |

Mr. Slingerland moved to non-concur in so much of said report as was contained in lines 224 to 230, inclusive, as follows: "For the purchase of 1,250 copies of volume one of Hough's Classified Abstract of the Laws of New York, during the first century of the State government, at a rate not to exceed four dollars per volume, \$5,000, or so much thereof as may be necessary, to be paid on the certificate of the Secretary of State, and the work to be distributed by him to such offices of record, public officers, and libraries as are now entitled by law to receive the Session Laws of this State."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would con-

cur in the report of said conference committee, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 88 }
{ NOES 29 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Deane | Liddle | Sheridan |
| Andrews | Dougherty | Lindsay | Sherman |
| Baker, B. F. | Douglass | Low | Shuit |
| Baker, C. S. | Duell | McAvoy | Sipp |
| Beates | Duguid | McCabe | Sisson |
| Benediot, E. D. | Evans | McTernan | Tallmadge |
| Bradley | Ferris | Miller | Terpeny |
| Brennan | Fiske | Mitchell | Terry |
| Bridges | Gillette | Mooers | Titus |
| Brotsky | Gorsline | Morgan | Tormey |
| Bullock | Gray | Nowlan | Tozier |
| Carpenter, I. S. | Griggs | O'Brien | Travis |
| Case | Grosse | Phillips | Tuthill, H. H. |
| Catlin | Hagan | Pitcher | Tuttle, R. M. |
| Chamberlain | Hayes | Potter | Varnum |
| Childs | Hoffman | Potts | Walsh |
| Clark | Howland | Roberts | Waterbury |
| Clowes | Hurd | Root | Wells, D. A. |
| Comstock | Husted | Russell | Wells, J. L. |
| Congdon | Ingersoll | Sanders | Westor |
| Cullinan | Kennedy | Seeley | Wren |
| Davis | Lefever | Shanley | Youngs |

Those who voted in the negative, were

| | | | |
|------------------|---------|----------|-----------------|
| Beach | Crapser | Havens | Skinner |
| Benedict, T. E. | Curtis | McCarthy | Slingerland |
| Bennett | Cushing | Newman | Steele |
| Carpenter, E. A. | Ellis | O'Connor | Strait |
| Chickering | Fish | Parker | Treanor |
| Cohen | Gibbs | Peck | Van Valkenburgh |
| Cookinham | Gwinup | Rhodes | Wiley |
| Costello | | | |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing that the Assembly have concurred in the report of the conference committee thereon.

When the name of Mr. Cookinham was called, he asked to be and was not excused from voting.

Mr. Speaker announced as the committee of conference on Assembly bill No. 697, entitled "An act making appropriations for the payment of certain awards made by the State Board of Audit," Messrs. Brennan, Alvord, Kennedy, I. S. Carpenter and Ellis.

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have appointed a conference committee thereon.

The Senate sent for concurrence the following resolution :

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill No. 328, entitled "An act further to regulate the admission to this State of marine insurance companies from other countries than the United States."

Mr. Speaker put the question whether the House would concur in said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Husted, from the special committee, to which was referred Assembly bill entitled "An act to amend an act entitled 'An act for the preservation of moose, wild deer, birds, fish, and other game, passed June 20, 1879,'" reported in words following:

"An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish, and other game.'"

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 23 of chapter 534 of the Laws of 1879, entitled "An act for the preservation of moose, wild deer, birds and fish, and other game," is hereby amended so as to read as follows:

§ 23. No person shall kill or catch, or attempt to kill or catch, any fish, except minnows, in the waters of Lake Ontario, on the American side thereof, for the distance of three miles from the mouth of the Niagara river, or in Onondaga, Oneida, Seneca, or Cross lakes, or in any of their outlets or tributaries, or in the American waters of the Niagara river above Niagara Falls, in any way or manner or by any devices whatever except with that of hook and line; and any person catching or killing any fish, except minnows, in any of the above named waters, shall be liable to a penalty of \$100 for each and every offense. No person shall kill or catch, or attempt to kill or catch, any fish except minnows, bull heads, eels, suckers and catfish, in any other of the fresh waters, or in any of the canals in this State, or in the American waters of the St. Lawrence river, in any way or manner or by any device whatever except that of angling by hook and line, save only in the following waters, namely: The Hudson river below the dam at Troy, Black lake, in the county of St. Lawrence, St. Regis river, Grass river, and Racket river, below the line of the Ogdensburgh and Lake Champlain Railroad, and in Lake Ontario except Great Sodus bay, Port bay, East bay, in the county of Wayne, Henderson harbor, or Henderson bay, in the county of Jefferson, and also except in Lake Champlain, during the month of October and the first fifteen days in November, and also except in the waters of the Walkill river within the county.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }
{ NOES 6 }

Those who voted in the affirmative, were

| | | | |
|--------------|----------|---------|----------|
| Alvord | Costello | Kennedy | Shanley |
| Andrews | Crapser | Lefever | Sheridan |
| Baker, B. F. | Cullinan | Liddle | Sherman |
| Baker, C. S. | Curtis | Low | Shuit |
| Beach | Davis | McAvoy | Sipp |
| Beates | Deane | McCabe | Sisson |

| | | | |
|------------------|------------|----------|-----------------|
| Benedict, E. D. | Dougherty | McCarthy | Skinner |
| Benedict, T. E. | Douglass | McDonald | Strait |
| Bennett | Duell | Mead | Tallmadge |
| Bradley | Duguid | Miller | Terry |
| Brennan | Ellis | Mitchell | Tormey |
| Brodsky | Fish | Morgan | Tozier |
| Bullock | Fitzgerald | Nowlan | Travis |
| Carpenter, E. A. | Gibbs | O'Brien | Treanor |
| Carpenter, I. S. | Gorsline | Phillips | Van Valkenburgh |
| Case | Grosse | Pitcher | Varnum |
| Catlin | Gwinup | Rhodes | Walsh |
| Chamberlain | Havens | Roberts | Waterbury |
| Clowes | Hayes | Root | Wells, D. A. |
| Cohen | Hoffman | Russell | Wells, J. L. |
| Comstock | Hurd | Sanders | Wiley |
| Congdon | Husted | Seeley | Youngs |
| Cookinham | Ingersoll | | |

Those who voted in the negative, were

| | | | |
|---------|--------|---------|------|
| Bridges | Evans | Howland | Peck |
| Childs | Ferris | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Senate was received and read informing of concurrence in the resolutions recalling from the Governor, for amendment, the following bills:

Assembly bill entitled "An act in relation to the superintendents of the poor of the county of Westchester, and the keeper of the county house in said county."

"An act to amend chapter 441, Laws of 1864."

Assembly bill entitled "An act to reduce the expenses of the improvement commission of Long Island City."

Ordered, That the Clerk deliver said resolutions to the Governor.

Mr. Husted moved to take from the table the motion to reconsider the vote by which Senate bill entitled "An act for the removal of the reservoir situated in the city of New York, between 40th and 42d streets," was lost.

Mr. Speaker put the question whether the House would agree to take said motion from the table, and it was determined in the affirmative.

After debate,

Mr. Husted moved the previous question.

Mr. Speaker put the question, "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths of said members being present.

{ AYES 58 }
{ NOES 48 }

Those who voted in the affirmative, were

| | | | |
|-----------------|----------|----------|-----------|
| Alverd | Gorsline | O'Connor | Terry |
| Andrews | Hagan | Pitcher | Thilemann |
| Baker, B. F. | Havens | Potter | Titus |
| Benedict, E. D. | Hayes | Potts | Tozier |

| | | | |
|------------------|-----------|----------|-----------------|
| Bennett | Hurd | Rhodes | Travis |
| Carpenter, I. S. | Husted | Root | Van Valkenburgh |
| Catlin | Ingersoll | Russell | Varnum |
| Chickering | Kennedy | Sanders | Waterbury |
| Clowes | Liddle | Seeley | Wells, D. A. |
| Cohen | Lindsay | Shanley | Wells, J. L. |
| Cookinham | Low | Sheridan | Weston |
| Davis | McCabe | Shuit | Wiley |
| Fiske | Mooers | Sisson | Wren |
| Gibbs | Morgan | Strait | Youngs |
| Gillette | Newman | | |

Those who voted in the negative, were

| | | | |
|------------------|-----------|----------|----------------|
| Baker, C. S. | Comstock | Ferris | Nowlan |
| Beach | Congdon | Fish | Parker |
| Benedict, T. E. | Costello | Grosse | Peck |
| Bradley | Crapser | Gwinup | Sherman |
| Brennan | Cullinan | Hoffman | Sipp |
| Brodsky | Curtis | Howland | Skinner |
| Bullock | Cushing | Lefever | Slingerland |
| Carpenter, E. A. | Deane | McAvoy | Terpeny |
| Case | Dougherty | McCarthy | Treanor |
| Chamberlain | Douglass | McDonald | Tuthill, H. H. |
| Childs | Ellis | Miller | Tuttle, R. M. |
| Clark | Evans | Mitchell | Walsh |

A message from the Senate was received and read informing of concurrence in the following bills :

"An act to prevent interference with owners and captains of steamers engaged in the towing business."

"An act supplementary to chapter 220 of the Laws of 1866, entitled 'An act to amend the charter of the village of Saratoga Springs, and the several acts amendatory thereof.'"

"An act to legalize the official acts of Daniel T. Cornell as notary public."

"An act to incorporate the Grand Council of the Royal Arcanum of the State of New York."

"An act to amend chapter 463 of the Laws of 1853, entitled 'An act to provide for the incorporation of life and health insurance companies, and in relation to agencies of such companies.'"

"An act to amend chapter 126 of the Laws of 1861, entitled 'An act to authorize the election of one overseer of the poor in the town of Saugerties, Ulster county.'"

"An act to authorize the Knickerbocker Casualty Insurance Company to increase its capital stock."

"An act to amend chapter 5, title 2, part 2 of the Revised Statutes of the State of New York."

"An act to declare Independence river and its tributaries in Lewis and Herkimer counties a public highway."

"An act to incorporate Alert Hose Company No. 3, of Medina, New York."

"An act to amend section 1 of chapter 466 of the Laws of 1853, entitled 'An act to provide for the incorporation of fire insurance companies.'"

"An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages, also, chapter 870 of the Laws of 1871, entitled 'An act to amend an act for the incorporation of villages.'"

"An act to amend chapter 476 of the Laws of 1869, entitled 'An act

to establish the office of receiver of taxes in the town of New Rochelle, in the county of Westchester.’”

“An act to incorporate Excelsior Hose Company No. 1, of the village of Warwick, New York.”

“An act to amend section 1 of chapter 792 of the Laws of 1866, entitled ‘An act to incorporate the village of Port Richmond, in the county of Richmond.’”

“An act to further amend an act entitled ‘An act to amend chapter 65 of the Laws of 1878, relating to the collection of taxes in the counties of Livingston, Montgomery, Oswego, Ulster and Ontario, and amended by chapter 200 of the Laws of 1879.’”

“An act relating to certain streets and avenues in Astoria, Long Island City.”

“An act to repeal chapter 47 of the Laws of 1879, entitled ‘An act authorizing the reduction of pay of certain town officers in the county of Sullivan.’”

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned Assembly bill entitled “An act to prohibit the erection, construction, maintenance or operation of elevated railways, or extensions thereof, in certain streets or avenues in the city of Brooklyn and county of Kings,” with a message that they have agreed to the report of the conference committee to the above entitled bill.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Deane moved to lay all order of business on the table, for the purpose of taking up the concurrent resolution relative to adjournment, in words following:

Resolved (if the Assembly concur), That this Legislature will adjourn *sine die* on Friday, the 21st instant, at four o’clock in the afternoon of that day.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Skinner moved to amend said resolution by striking out all after the word “adjourn,” and insert in lieu thereof “*sine die* on Thursday at 12 o’clock, noon.”

Mr. Tozier moved to amend by striking out “Thursday at 12 o’clock, noon,” and insert in lieu thereof “Wednesday, 4 p. m.”

Mr. Husted moved the previous question.

Mr. Speaker put the question “Shall the main question now be put?” and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Tozier, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Skinner, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the adoption of said resolution, as amended, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein, with amendments.

Mr. Titus called from the table the report of the sub-committee of the whole in words following:

Report of the sub-committee of the whole.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 689, printed No. 602, entitled “An act

to amend section 3 of chapter 582 of the Laws of 1864, entitled 'An act to amend an act entitled 'An act to authorize the formation of railroad corporations and to regulate the same,' passed April 2, 1850," reported in favor of the passage of the same without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Assembly bill G. O. 916, printed No. 758, entitled "An act to amend the act entitled 'An act to amend the Revised Statutes in relation to summary proceedings to recover possession of land,' passed April 3, 1849," reported in favor of the passage of the same, with an amendment as follows:

To amend the title so that it will read:

"An act to amend chapter 193 of the Laws of 1849, entitled 'An act to amend the Revised Statutes in relation to summary proceedings to recover possession of land.'"

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 989, printed No. 286, entitled "An act for the relief of Thomas Cottman," reported in favor of the passage of the same without amendment.

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 990, printed No. 254, entitled "An act to amend chapter 258 of the Laws of 1849, entitled 'An act in relation to suits by and against joint-stock companies and associations,' and also to amend chapter 455 of the Laws of 1851, entitled 'An act to extend the 'act in relation to suits by and against joint-stock companies and associations,' to companies having a joint or common interest in property,'" reported in favor of the passage of the same without amendment.

Also,

Mr. Titus, from the sub-committee of the whole, to which was referred Senate bill G. O. 929, printed No. 262, entitled "An act for the relief of Lawrence Collins," reported in favor of the passage of the same without amendment.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Ordered, That said bills be engrossed for a third reading.

The hour of two having arrived, the House took a recess until 4 P. M.

FOUR O'CLOCK, P. M.

The House again met.

The Senate returned Senate bill entitled "An act to amend chapter 863, Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn,' and the various amendments thereof," with a message that they have agreed to the report of the conference committee, and as amended by the Assembly.

Ordered, That the Clerk return said bill to the Senate.

A message from the Senate was received and read, informing of concurrence in the Assembly amendments to the following resolution:

Resolved (if the Assembly concur), That this Legislature will adjourn, sine die, on Friday the 21st inst., at 4 o'clock in the afternoon of that day.

Ordered, That the Clerk return said resolution to the Senate.

Mr. Speaker directed the Clerk to call the roll of members to ascer-

tain if a quorum of members was present, and the following members answered to their names :

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Congdon | Liddle | Skinner |
| Andrews | Cookinham | Lindsay | Strait |
| Baker, B. F. | Crapser | Low | Tallmadge |
| Beates | Curtis | McCabe | Terpeny |
| Benedict, T. E. | Deane | Mooers | Titus |
| Bennett | Douglass | Morgan | Tormey |
| Bradley | Duguid | Parker | Travis |
| Bridges | Ellis | Phillips | Tuthill, H. H. |
| Brodsky | Fiske | Pitcher | Tuttle, R. M. |
| Bullock | Fitzgerald | Potts | Varnum |
| Carpenter, E. A. | Gorsline | Rhodes | Warner |
| Case | Griggs | Root | Waterbury |
| Oatlin | Gwinup | Russell | Wells, D. A. |
| Chickering | Hagan | Shanley | Wells, J. L. |
| Childs | Havens | Sheridan | Wren |
| Clowes | Howland | Sherman | Mr. Speaker |
| Cohen | Lefever | Shuit | |

. 67

A quorum being present.

By unanimous consent,

Mr. Hurd, from the committee on canals, to which was referred the Senate bill (introductory No. 706), entitled "An act making an appropriation for the payment of an award by the canal appraisers," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Chickering, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Congdon | Lefever | Seeley |
| Andrews | Cookinham | Liddle | Shanley |
| Baker, B. F. | Cullinan | Lindsay | Sherman |
| Baker, C. S. | Curtis | Low | Shuit |
| Beach | Cushing | McAvoy | Sipp |
| Beates | Davis | McCabe | Sisson |
| Benedict, E. D. | Deane | Mead | Skinner |
| Benedict, T. E. | Douglass | Miller | Slingerland |
| Bennett | Duell | Mooers | Strait |
| Bradley | Duguid | Morgan | Terpeny |
| Bridges | Ellis | Nowlan | Thilemann |
| Brodsky | Ferris | O'Connor | Titus |
| Bullock | Fish | Parker | Tozier |
| Carpenter, E. A. | Fiske | Peck | Travis |
| Carpenter, I. S. | Gorsline | Phillips | Treanor |
| Case | Gray | Pitcher | Tuthill, H. H. |
| Cohen | Griggs | Potts | Tuttle, R. M. |
| Chamberlain | Havens | Rhodes | Van Valkenburgh |
| Chickering | Hayes | Roberts | Waterbury |
| Clancy | Howland | Root | Wells, D. A. |
| Clark | Hurd | Russell | Wells, J. L. |
| Clowes | Kennedy | Sanders | Wren |
| Cohen | | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Bullock, from the committee on public health, to which was referred the Senate bill (introductory No. 222), entitled "An act to amend chapter 123 of the Laws of 1854, entitled 'An act to promote medical science,'" reported in favor of the passage of the same with amendments, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Bullock, from the committee on public health, to which was referred the Senate bill (introductory No. 644), entitled "An act to provide for the publication of a list of regular physicians in the city of New York," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 342), entitled "An act to amend the Code of Civil Procedure, passed June 2, 1876, and the several acts amendatory thereof," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Titus, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 337), entitled "An act for the prevention of accidents to children," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Travis, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Speaker (introductory No. 1157), entitled "An act to repeal certain acts and parts of acts therein named, so far as the same relate to or apply to or within the city and county of New York," reported the same for the consideration of the House, which report was agreed to and said bill committed to the committee of the whole.

Mr. Duguid moved to non-concur in the amendments of the Senate to Assembly bill No. 604, "to regulate transportation of freight by railroad corporations," and that a conference committee be appointed on the part of the House, and request a like committee on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced as such committee, Messrs. Duguid, Skinner, Low, Tuttle, and T. E. Benedict.

Ordered, That the Clerk deliver said bill to the Senate, with a message informing that the Assembly have appointed a conference committee thereon, and request a like committee from the Senate.

The Senate returned Assembly bill entitled "An act to ascertain by proper proofs the citizens who shall be entitled to the right of suffrage

in cities of 16,000 inhabitants or upwards, and the towns and villages abutting against the boundary of any such cities," with a message that they have concurred in the passage of the same with the following amendments:

Insert new section as follows:

"No vote shall be received at any general election in this State unless the name of the person offering to vote be on the said registry, made on the Friday preceding the election, except that the person offering to vote in any district not in an incorporated city, nor in an incorporated village having over 10,000 inhabitants, shall furnish to the board of inspectors his affidavit giving his reasons for not appearing on the day of counting and verifying the list, and prove by the oath of a householder, of the district in which he offers his vote, that he knows such person to be an inhabitant of the district; and any person whose name is on the registry may be challenged, and the same oaths shall be put as are now prescribed by law. At any general election hereafter held in this State, any of the inspectors of such election may take the affidavit herein required by law to be furnished by persons offering to vote, whose names are not on the registry of electors; and such inspectors, or one of them, shall, upon request, take and certify such affidavit without fee and reward. All other officers, authorized by law to take affidavits, shall, at alltimes, upon request, take and certify any affidavit so required to be furnished as aforesaid without any charge therefor."

Change section 20 to section 21.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 72 }
{ NOES 12 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Cookinham | Howland | Sherman |
| Baker, B. F. | Crapser | Kennedy | Shuit |
| Baker, C. S. | Cullinan | Lefever | Sipp |
| Beach | Curtis | Liddle | Skinner |
| Beates | Davis | Lindsay | Slingerland |
| Benedict, E. D. | Deane | Low | Tallmadge |
| Benedict, T. E. | Douglass | McCabe | Terpeny |
| Bradley | Duell | McCarthy | Titus |
| Bridges | Duguid | Mooers | Tozier |
| Brodsky | Ellis | Morgan | Travia |
| Bullock | Ferris | Phillips | Tuthill, H. H. |
| Carpenter, I. S. | Fish | Pitcher | Tuttle, R. M. |
| Catlin | Fiske | Potts | Varnum |
| Chamberlain | Fitzgerald | Roberts | Warner |
| Chickering | Gorsline | Root | Waterbury |
| Clark | Griggs | Russell | Wells, J. L. |
| Clowes | Gwinup | Sanders | Wren |
| Congdon | Havens | Seeley | Mr. Speaker |

Those who voted in the negative, were

| | | | |
|---------|-----------|---------|-----------|
| Bennett | Dougherty | Rhodes | Thilemann |
| Clancy | McAvoy | Shanley | Tormey |
| Cohen | Parker | Strait | Treanor |

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act to enable any town to abolish the office of railway commissioner, and to authorize the supervisor of such town to discharge the duties now pertaining to said office," with a message that they have concurred in the same with the following amendments, viz.:

Vote on the final passage of within entitled bill reconsidered, and bill passed with the following amendment:

Add as section 7 the following:

§ 7. The counties of Livingston, Wyoming, Steuben and Cattaraugus are hereby exempted from the provisions of this act.

Mr. Alvord moved to concur in the amendments of the Senate, amended so as to include the county of Onondaga.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Clowes | Howland | Shuit |
| Andrews | Cohen | Kennedy | Sipp |
| Baker, B. F. | Congdon | Lefever | Sisson |
| Baker, C. S. | Cookinham | Liddle | Skinner |
| Beach | Crapser | Lindsay | Slingerland |
| Beates | Cullinan | McCabe | Strait |
| Benedict, E. D. | Cushing | McCarthy | Terpeny |
| Benedict, T. E. | Deane | Mooers | Thilemann |
| Bennett | Douglass | Morgan | Titus |
| Bradley | Duell | O'Connor | Tormey |
| Bridges | Duguid | Parker | Tozier |
| Brodsky | Ellis | Phillips | Travis |
| Bullock | Fish | Pitcher | Treanor |
| Carpenter, I. S. | Fiske | Potts | Tuthill, H. H. |
| Case | Fitzgerald | Rhodes | Tuttle, R. M. |
| Catlin | Gibbs | Root | Varnum |
| Chamberlain | Gorsline | Russell | Warner |
| Chickering | Gray | Seeley | Waterbury |
| Clancy | Griggs | Sheridan | Wells, J. L. |
| Clark | Gwinup | Sherman | Wren |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

Mr. Shanley called from the table a concurrent resolution in the words following:

Whereas, The Congress of the United States has provided by law for celebrating the one hundredth anniversary of the treaty of peace and the recognition of American independence, by holding an international exhibition of arts, manufactures, and the products of the soil and mine, in the city of New York, in the State of New York, in the year 1883, subject always to the supervision and under the auspices of the Government of the United States; and,

Whereas, The great commercial metropolis of this State has been

recognized as the appropriate place for such celebration and exhibition; and,

Whereas, Such celebration and exhibition will redound no less to the honor and glory than to the advantage and growth of this State; therefore, be it

Resolved (if the Assembly concur), That they most cheerfully and earnestly approve of the international exhibition to be held in the city of New York in the year 1883, as above recited, and declare that it is the duty of the State to take such action as may be necessary to insure its success, and to carry into effect the purposes of the said act of Congress.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Senate bill entitled "An act enabling any corporation created by act of Congress of the United States to acquire, hold, use, and improve real estate for the purposes of an international exhibition," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Cullinan | Lefever | Sheridan |
| Andrews | Curtis | Liddle | Sherman |
| Baker, B. F. | Cushing | Lindsay | Shuit |
| Baker, C. S. | Davis | McAvoy | Sipp |
| Beach | Deane | McCabe | Sisson |
| Beates | Dougherty | McCarthy | Skinner |
| Benedict, E. D. | Duell | Mead | Slingerland |
| Benedict, T. E. | Duguid | Mooers | Strait |
| Bennett | Ellis | Morgan | Tallmadge |
| Bradley | Ferris | Newman | Terpeny |
| Brodsky | Fish | Nowlan | Thilemann |
| Bullock | Gibbs | Parker | Titus |
| Carpenter, I. S. | Gillette | Peck | Tormey |
| Case | Gorsline | Phillips | Tozier |
| Catlin | Gray | Pitcher | Travis |
| Chamberlain | Gwinup | Potts | Treanor |
| Chase | Havens | Rhodes | Tuthill, H. H. |
| Chickering | Hayes | Roberts | Tuttle, R. M. |
| Childs | Howland | Root | Varnum |
| Clark | Hurd | Russell | Warner |
| Clowes | Husted | Sanders | Waterbury |
| Cohen | Ingersoll | Seeley | Wells, D. A. |
| Congdon | Kennedy | Shanley | Wells, J. L. |
| Cookinham | | | |

Those who voted in the negative, were

Crapser

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate returned Assembly bill entitled "An act in relation to the Methodist Episcopal Church in the city of New York," with a

message that they have concurred in the same, with the following amendments:

Section 1, lines 3 and 4, strike out the words "the Ladies' Union Aid Society of."

Amend the title so as to read as follows.

"An act in relation to the Methodist Church Home in the city of New York."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 99 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Curtis | Lefever | Seeley |
| Andrews | Davis | Liddle | Shanley |
| Baker, B. F. | Deane | Lindsay | Sheridan |
| Baker, O. S. | Dougherty | Low | Sherman |
| Beach | Douglass | McAvoy | Shuit |
| Beates | Duell | McCabe | Sipp |
| Benedict, E. D. | Duguid | McCarthy | Sisson |
| Benedict, T. E. | Ellis | McDonald | Skinner |
| Bennett | Evans | Mead | Slingerland |
| Bradley | Ferris | Miller | Strait |
| Bridges | Fish | Mitchell | Tallmadge |
| Brodsky | Fiske | Mooers | Terpeny |
| Bullock | Fitzgerald | Morgan | Titus |
| Carpenter, I. S. | Gibbs | Newman | Tormey |
| Case | Gillette | Nowlan | Tozier |
| Chase | Gorsline | Parker | Travis |
| Chickering | Gray | Peck | Treanor |
| Childs | Griggs | Phillips | Tuthill, H. H. |
| Clark | Gwinup | Pitcher | Tuttle, R. M. |
| Clowes | Hayes | Potts | Varnum |
| Cohen | Howland | Rhodes | Warner |
| Congdon | Hurd | Roberts | Waterbury |
| Cookinham | Husted | Root | Wells, D. A. |
| Crapser | Ingersoll | Russell | Wells, J. L. |
| Cullinan | Kennedy | Sanders | |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act to grant relief to the sureties of trustees, committees or guardians appointed by or accountable to the Supreme Court, or to any county court of the State," with a message that they have concurred in the passage of the same, with the following amendments:

Section 4, line 4, after the word "good" insert "and paid into court or other satisfactory and sufficient security be given by such committee, trustee or guardian."

Strike out all of section 8, and make section 9 section 8.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Davis | Liddle | Sherman |
| Andrews | Deane | McAvoy | Shuit |
| Baker, B. F. | Dougherty | McCabe | Sipp |
| Baker, C. S. | Douglass | McCarthy | Sisson |
| Beach | Duell | McDonald | Skinner |
| Beates | Duguid | Miller | Slingerland |
| Benedict, E. D. | Ellis | Mitchell | Strait |
| Benedict, T. E. | Evans | Moors | Tallmadge |
| Bennett | Ferris | Morgan | Terpeny |
| Bradley | Fish | Newman | Thilemann |
| Brodsky | Fiske | Nowlan | Titus |
| Bullock | Fitzgerald | Parker | Tormey |
| Carpenter, I. S. | Gibbs | Peck | Tozier |
| Case | Gillette | Phillips | Travis |
| Chase | Gorsline | Pitcher | Treanor |
| Chickering | Gray | Potts | Tuthill, H. H. |
| Childs | Griggs | Rhodes | Tuttle, R. M. |
| Clark | Grosse | Roberts | Varnum |
| Clowes | Gwinup | Root | Warner |
| Congdon | Hayes | Russell | Waterbury |
| Cookinham | Howland | Sanders | Wells, D. A. |
| Crapser | Hurd | Seeley | Wells, J. L. |
| Cullinan | Kennedy | Shanley | Wren |
| Curtis | Lefever | Sheridan | |

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

A message was received from the Governor, in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }
ALBANY, May 25, 1880. }

To the Assembly:

Pursuant to a joint resolution of the Senate and Assembly, Assembly bill No. 293, entitled "An act in relation to the superintendents of the poor of the county of Westchester, and the keeper of the county house in said county," is herewith returned for amendment.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 98 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|----------|-------------|
| Alvord | Davis | Liddle | Sheridan |
| Andrews | Deane | Lindsay | Sherman |
| Baker, B. F. | Dougherty | McAvoy | Shuit |
| Baker, C. S. | Douglass | McCabe | Sipp |
| Beach | Duell | McCarthy | Sisson |
| Beates | Duguid | McDonald | Skinner |
| Benedict, E. D. | Evans | Miller | Slingerland |
| Benedict, T. E. | Ferris | Mitchell | Strait |
| Bennett | Fish | Moors | Tallmadge |

| | | | |
|------------------|------------|----------|----------------|
| Bradley | Fiske | Morgan | Terpeny |
| Bridges | Fitzgerald | Newman | Thilemann |
| Brodsky | Gibbs | Nowlan | Titus |
| Carpenter, E. A. | Gillette | Parker | Tormey |
| Carpenter, I. S. | Gorsline | Peck | Tozier |
| Case | Gray | Phillips | Travis |
| Chase | Griggs | Pitcher | Treanor |
| Chickering | Grosse | Potts | Tuthill, H. H. |
| Childs | Gwinup | Rhodes | Tuttle, R. M. |
| Clark | Hayes | Roberts | Varnum |
| Clowes | Howland | Root | Warner |
| Congdon | Hurd | Russell | Waterbury |
| Cookinham | Husted | Sanders | Wells, D. A. |
| Crapsier | Ingersoll | Seeley | Wells, J. L. |
| Cullinan | Kennedy | Shanley | Wren |
| Curtis | Lefever | | |

On motion of Mr. Travis, and by unanimous consent, said bill was amended in words following:

Section 1, engrossed bill, line 4, strike out the word "elected;" same section, lines 5 and 6, strike out the words "who shall be the keeper of the county house and reside therein."

Section 2, line 7, strike out "and keeper of the county house."

Amend the title by striking out the words "and the keeper of the county house in said county."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 96 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Dougherty | Lindsay | Sheridan |
| Andrews | Douglass | Low | Sherman |
| Baker, B. F. | Duell | McAvoy | Shuit |
| Baker, C. S. | Duguid | McCabe | Sipp |
| Beach | Ellis | McCarthy | Sissor |
| Beates | Evans | McDonald | Skinner |
| Benedict, E. D. | Fish | Miller | Slingerland |
| Benedict, T. E. | Fiske | Mitchell | Strait |
| Bennett | Fitzgerald | Mooers | Tallmadge |
| Brodsky | Gibbs | Morgan | Terpeny |
| Carpenter, E. A. | Gillette | Newman | Titus |
| Carpenter, I. S. | Gorsline | Nowlan | Tormey |
| Case | Gray | Parker | Tozier |
| Chase | Griggs | Peck | Travis |
| Chickering | Grosse | Phillips | Treanor |
| Clark | Gwinup | Pitcher | Tuthill, H. H. |
| Clowes | Hayes | Potts | Tuttle, R. M. |
| Congdon | Howland | Rhodes | Van Valkenburgh |
| Cookinham | Hurd | Roberts | Varnum |
| Crapsier | Husted | Root | Warner |
| Cullinan | Ingersoll | Russell | Waterbury |
| Curtis | Kennedy | Sanders | Wells, D. A. |
| Davis | Lefever | Seeley | Wells, J. L. |
| Deane | Liddle | Shanley | Wren |

Those who voted in the negative, were

Bradley

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A message was received from the Governor in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }
ALBANY, May 25, 1880. }

To the Assembly :

In pursuance of a joint resolution of the Senate and Assembly, Assembly bill No. 514, entitled "An act to reduce the expenses of the improvement commission in Long Island City," is herewith returned for amendment.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Cookinham | Liddle | Sisson |
| Andrews | Davis | Lindsay | Skinner |
| Baker, B. F. | Deane | McAvoy | Slingerland |
| Baker, C. S. | Douglass | McCabe | Strait |
| Beach | Duell | McCarthy | Tallmadge |
| Beates | Evans | McDonald | Terpeny |
| Benedict, E. D. | Ferris | Miller | Terry |
| Benedict, T. E. | Fish | Mitchell | Titus |
| Bennett | Fitzgerald | Mooers | Tormey |
| Bradley | Gibbs | Morgan | Tozier |
| Bridges | Gillette | Nowlan | Travis |
| Brodskey | Gorsline | Parker | Treanor |
| Bullock | Gray | Peck | Tuthill, H. H. |
| Carpenter, E. A. | Grosse | Phillips | Tuttle, R. M. |
| Carpenter, I. S. | Gwinup | Pitcher | Van Valkenburgh |
| Case | Howland | Potts | Warner |
| Chase | Hurd | Roberts | Waterbury |
| Chickering | Husted | Root | Wells, D. A. |
| Clark | Ingersoll | Russell | Wells, J. L. |
| Clowes | Kennedy | Sherman | Youngs |
| Congdon | Lefever | Sipp | |

Those who voted in the negative, were

Crapser

On motion of Mr. Clowes, and by unanimous consent, said bill was amended in words following:

Amend title so as to read:

"An act supplemental to chapter 326 of the Laws of 1874, entitled 'An act to provide for improvements in and adjoining the First ward in Long Island City.'"

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|-----------------|
| Alvord | Congdon | Ingersoll | Sanders |
| Andrews | Cookinham | Kennedy | Seeley |
| Baker, B. F. | Davis | Lefever | Sherman |
| Baker, C. S. | Deane | Liddle | Sisson |
| Beach | Dougherty | Lindsay | Skinner |
| Beates | Douglass | McCabe | Slingerland |
| Benedict, E. D. | Duell | McCarthy | Strait |
| Bennett | Ellis | McDonald | Tallmadge |
| Bradley | Evans | Mead | Terpeny |
| Brennan | Fish | Miller | Terry |
| Bridges | Fitzgerald | Mitchell | Titus |
| Brodsky | Gibbs | Mooers | Tormey |
| Bullock | Gillette | Morgan | Tozier |
| Carpenter, E. A. | Gorsline | Nowlan | Travis |
| Carpenter, I. S. | Gray | Parker | Tuthill, H. H. |
| Case | Grosse | Peck | Tuttle, R. M. |
| Chamberlain | Gwinup | Pitcher | Van Valkenburgh |
| Chase | Hayes | Potts | Waterbury |
| Chickering | Howland | Roberts | Wells, D. A. |
| Childs | Hurd | Root | Wells, J. L. |
| Clark | Husted | Russell | Weston |
| Clowes | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A message was received from the Governor in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }
ALBANY, May 25, 1880.

To the Assembly:

In accordance with a joint resolution of the Senate and Assembly, Assembly bill No. 651, entitled "An act supplementary to chapter 441 of the Laws of 1864, entitled 'An act in relation to the performance of highway labor in Queens county,'" is herewith returned for amendment.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|-----------|-------------|
| Alvord | Cullinan | Ingersoll | Sherman |
| Andrews | Curtis | Kennedy | Sisson |
| Baker, B. F. | Davis | Lefever | Skinner |
| Baker, C. S. | Deane | Liddle | Slingerland |
| Beach | Dougherty | Lindsay | Strait |
| Beates | Douglass | McCabe | Tallmadge |
| Benedict, E. D. | Duell | McCarthy | Terpeny |
| Bennett | Duguid | McDonald | Terry |
| Bradley | Ellis | Mead | Titus |
| Brennan | Evans | Miller | Tormey |
| Bridges | Fish | Mitchell | Tozier |
| Brodsky | Fiske | Mooers | Travis |

| | | | |
|------------------|------------|----------|-----------------|
| Bullock | Fitzgerald | Morgan | Treanor |
| Carpenter, E. A. | Gibbs | Nowlan | Tuthill, H. H. |
| Carpenter, I. S. | Gillette | Parker | Tuttle, R. M. |
| Case | Gorsline | Peck | Van Valkenburgh |
| Chase | Gray | Phillips | Warner |
| Chickering | Gwinup | Pitcher | Waterbury |
| Clark | Hayes | Potts | Wells, D. A. |
| Clowes | Howland | Roberts | Wells, J. L. |
| Cohen | Hurd | Root | Weston |
| Congdon | Husted | Russell | Wren |
| Cookinham | | | |

Those who voted in the negative, were
Crapser

On motion of Mr. Clowes, and by unanimous consent, said bill was amended in words following:

Section 17. The board of highway commissioners may employ a suitable person, not a member of the board, to draw the necessary contracts and specifications and other writings necessary, but the total amount expended for such purposes shall not exceed the sum of \$200 in any one year.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|----------------|
| Alvord | Cookinham | Ingersoll | Seeley |
| Andrews | Cullinan | Kennedy | Sherman |
| Baker, B. F. | Curtis | Lefever | Shuit |
| Baker, C. S. | Davis | Liddle | Sipp |
| Beach | Deane | Lindsay | Sisson |
| Beates | Douglass | McCabe | Skinner |
| Bennett | Duell | McCarthy | Slingerland |
| Bradley | Duguid | McDonald | Strait |
| Brennan | Ellis | Miller | Tallmadge |
| Bridges | Evans | Mitchell | Terpeny |
| Brodsky | Ferris | Mooers | Terry |
| Bullock | Fish | Newman | Titus |
| Carpenter, E. A. | Fiske | Nowlan | Tozier |
| Carpenter, I. S. | Fitzgerald | Parker | Travis |
| Case | Gibbs | Peck | Tuthill, H. H. |
| Catlin | Gillette | Phillips | Tuttle, R. M. |
| Chase | Gorsline | Pitcher | Warner |
| Chickering | Gray | Potts | Waterbury |
| Childs | Gwinup | Rhodes | Wells, D. A. |
| Clark | Hayes | Roberts | Wells, J. L. |
| Clowes | Howland | Root | Weston |
| Cohen | Hurd | Russell | Wren |
| Congdon | Husted | Sanders | |

Those who voted in the negative, were
Crapser

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

By unanimous consent,

Mr. E. D. Benedict offered for the consideration of the House a resolution in the words following:

Whereas, The boundary line between the counties of Kings and Queens, from where the corporation line of the city of Brooklyn ends at the town of New Lots, Kings county, to the Atlantic ocean, is undefined and unsettled, and is a constant source of dispute; and,

Whereas, No commission appointed by the Legislature has ever been able to agree as to a proper line between the said counties of Kings and Queens;

Resolved (if the Senate concur), That the representatives now in the Assembly from the twelfth district of Kings, and from the second district of Queens, shall constitute a committee who, together with two reputable civil engineers whom they shall have power to employ, shall investigate and examine into the matter of where said boundary line is intended to be. They shall cause the same to be properly mapped, and shall report the result of their investigation and examination to the next Legislature for proper action to cause the same to be permanently fixed and described. They shall hold sessions during the recess of the Legislature for completing such investigation and examination, and shall have power to employ counsel and a clerk and to send for persons and papers during such time, and shall hold such sessions in the towns of New Lots and Jamaica, as such committee shall deem most convenient and desirable.

Mr. E. D. Benedict moved that the expenses hereby authorized and to be incurred by virtue of said resolution shall be provided for and paid by the counties of Kings and Queens.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the adoption of said resolution, as amended, and it was determined in the affirmative.

By unanimous consent,

Mr. McDonald offered for the consideration of the House a resolution in the words following:

Resolved, That the committee on cities be discharged from the further consideration of Senate bill Int. No. 351, entitled "An act to amend chapter 461 of the Laws of 1869, entitled 'An act to incorporate the Chapin Home for the Aged and Infirm in the city of New York,'" and that the same be substituted for Assembly bill Int. 1206 on the same subject, now on the order of third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate returned Assembly bill entitled "An act to confirm the title to real estate now held or hereafter acquired by resident aliens," with a message that they do not concur in the passage of the same.

The Senate returned Assembly bill entitled "An act in relation to receivers of insolvent corporations," with a message that they have concurred in the passage of the same with the following amendments:

Section 3, line 8, strike out the word "any" and insert the words "the third;" same line, after the word "district" insert the words "or in the judicial district in which such insolvent corporation is located."

Section 4, line 1, strike out the word "the" and insert the word "all," change "notice" to "notices."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }
{ NOES 3 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Curtis | Kennedy | Sipp |
| Andrews | Davis | Lefever | Sisson |
| Baker, B. F. | Deane | Liddle | Skinner |
| Baker, C. S. | Dougherty | Lindsay | Slingerland |
| Beach | Douglass | McDonald | Steele |
| Beates | Duell | Mead | Tallmadge |
| Bennett | Duguid | Miller | Terpeny |
| Bradley | Ellis | Mitchell | Terry |
| Brennan | Evans | Mooers | Titus |
| Bridges | Ferris | Morgan | Tormey |
| Brodsky | Fish | Nowlan | Tozier |
| Bullock | Fiske | Peck | Travis |
| Carpenter, E. A. | Fitzgerald | Phillips | Treanor |
| Carpenter, I. S. | Gibbs | Pitcher | Tuthill, H. H. |
| Case | Gillette | Potts | Tuttle, R. M. |
| Catlin | Gorsline | Roberts | Varnum |
| Chase | Gray | Root | Warner |
| Chickering | Grosse | Russell | Waterbury |
| Childs | Gwinup | Sanders | Wells, D. A. |
| Clark | Hayes | Seeley | Wells, J. L. |
| Olowes | Howland | Sherman | Weston |
| Congdon | Hurd | Shuit | Wren |
| Oullinan | Husted | | |

Those who voted in the negative, were

| | | |
|-----------|---------|--------|
| Cookinham | Crapser | Havens |
|-----------|---------|--------|

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned the bill entitled "An act to regulate the licensing of physicians and surgeons," with a message that they had passed the same with the following amendments:

Add at the end of section 6 the words: "Nor shall it apply to any person who has practiced medicine and surgery for ten years last past, and who is now pursuing the study of medicine and surgery in any legally incorporated medical college within this State, and who shall graduate from and receive a diploma within two years from the passage of this act."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 97 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|--------------|----------|-----------|--------|
| Alvord | Cullinan | Husted | Shuit |
| Andrews | Curtis | Ingersoll | Sipp |
| Baker, B. F. | Davis | Kennedy | Sisson |

| | | | |
|------------------|------------|----------|-----------------|
| Baker, C. S. | Deane | Lefever | Skinner |
| Beach | Dougherty | Liddle | Slingerland |
| Beates | Douglass | Lindsay | Steele |
| Benedict, E. D. | Duell | McAvoy | Strait |
| Bennett | Duguid | McDonald | Tallmadge |
| Bradley | Ellis | Mead | Terpeny |
| Brennan | Evans | Miller | Terry |
| Bridges | Ferris | Mitchell | Titus |
| Brodaky | Fish | Moors | Tozier |
| Bullock | Fiske | Morgan | Travis |
| Carpenter, E. A. | Fitzgerald | Nowlan | Treanor |
| Carpenter, I. S. | Gibbs | Peck | Tuthill, H. H. |
| Case | Gillette | Phillips | Tuttle, R. M. |
| Catlin | Gorsline | Pitcher | Van Valkenburgh |
| Chase | Gray | Potts | Varnum |
| Chickering | Griggs | Roberts | Warner |
| Childs | Grosse | Root | Waterbury |
| Clark | Gwinup | Russell | Wells, D. A. |
| Clowes | Havens | Sanders | Wells, J. L. |
| Cohen | Hayes | Seeley | Weston |
| Congdon | Howland | Sherman | Wren |
| Cookinham | | | |

Those who voted in the negative, were
Crapser

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act protecting fish in certain waters of this State," with a message that they have concurred in the passage of the same.

Section 1, line 3, after "Oneida" insert "Cayuga."

Section 2, line 14, after "Erie" insert "Tompkins, Seneca."

Mr. Tuttle moved to non-concur in the amendments of the Senate to the above entitled bill.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of non-concurrence in their amendments.

Senate bill entitled "An act making an appropriation for repairs to the State arsenal at Albany and the military property stored therein," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 96 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|-----------|-------------|
| Alvord | Cullinan | Ingersoll | Shanley |
| Andrews | Curtis | Kennedy | Sherman |
| Baker, B. F. | Davis | Lefever | Shuit |
| Baker, C. S. | Deane | Liddle | Sipp |
| Beach | Dougherty | Lindsay | Sisson |
| Beates | Douglass | Low | Slingerland |
| Benedict, E. D. | Duell | McAvoy | Steele |
| Bennett | Duguid | McCarthy | Strait |

| | | | |
|------------------|------------|----------|-----------------|
| Bradley | Ellis | Mead | Tallmadge |
| Brennan | Evans | Miller | Terpeny |
| Bridges | Ferris | Mitchell | Terry |
| Brodsky | Fish | Mooers | Thilemann |
| Bullock | Fiske | Morgan | Titus |
| Carpenter, E. A. | Fitzgerald | Newman | Travis |
| Carpenter, I. S. | Gibbs | Nowlan | Treanor |
| Case | Gillette | Peck | Tuthill, H. H. |
| Catlin | Gorsline | Phillips | Tuttle, R. M. |
| Chase | Gray | Pitcher | Van Valkenburgh |
| Chickering | Griggs | Potts | Varnum |
| Childs | Grosse | Roberts | Warner |
| Clark | Gwinup | Root | Waterbury |
| Clowes | Hayes | Russell | Wells, J. L. |
| Congdon | Howland | Sanders | Weston |
| Cookinham | Husted | Seeley | Wren |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Travis moved to take from the table the motion to reconsider the vote by which the Assembly bill entitled "An act for the relief of the Third Avenue Railroad Company, and to authorize the comptroller of the city of New York to pay the amount which may be found justly due to that company for services performed and material furnished in repairing certain streets in said city," was recommitted to the committee on affairs of cities, with instructions to strike out the enacting clause.

Mr. Speaker put the question whether the House would agree to take said motion to reconsider from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was recommitted to the committee on affairs of cities, and it was determined in the affirmative.

After debate,

Mr. Grosse moved the previous question.

Mr. Speaker put the question, "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths of said members being present.

{ AYES 45 }
{ NOES 44 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|--------------|
| Alvord | Clowes | Lefever | Russell |
| Andrews | Cullinan | McCarthy | Seeley |
| Baker, B. F. | Davis | McTernan | Shanley |
| Baker, C. S. | Dougherty | Mead | Sheridan |
| Beates | Ferris | Newman | Shuit |
| Brodsky | Gorsline | O'Brien | Steele |
| Bullock | Gray | O'Connor | Tallmadge |
| Carpenter, E. A. | Grosse | Pitcher | Tormey |
| Carpenter, I. S. | Hagan | Potts | Travis |
| Catlin | Hayes | Roberts | Wells, D. A. |
| Chase | Hurd | Root | Youngs |
| Clark | | | |

Those who voted in the negative, were

| | | | |
|-----------------|------------|----------|--------------|
| Beach | Cookinham | Kennedy | Rhodes |
| Benedict, T. E. | Grapser | Liddle | Sipp |
| Bennett | Curtis | Lindsay | Skinner |
| Bradley | Cushing | Low | Slingerland |
| Brennan | Douglass | McAvoy | Strait |
| Bridges | Ellis | McDonald | Tozier |
| Chamberlain | Fish | Miller | Treanor |
| Chickering | Fitzgerald | Mitchell | Varnum |
| Childs | Griggs | Morgan | Waterbury |
| Cohen | Gwinup | Nowlan | Wells, J. L. |
| Congdon | Havens | Parker | Weston |

The Senate returned Senate bill entitled "An act to provide for the improvement of Morningside park in the city of New York, and of the streets and avenues bounding said park," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk return said bill to the Senate.

The bill entitled "An act to amend chapter 18 of the Laws of 1862, entitled 'An act to revise the charter of the city of Utica, as amended by chapter 371 of the Laws of 1876, entitled 'An act to amend chapter 18 of the Laws of 1862, entitled 'An act to revise the charter of the city of Utica,' " being announced for a third reading,

On motion of Mr. Cookinham, and by unanimous consent, said bill was amended in words following:

Strike out all after the enacting clause and insert the following:

Section 1. Sections 4, 12, 16, 24, 25, 26, 34, 109, 113, 133 and 134, of chapter 18 of the Laws of 1862, entitled "An act to revise the charter of the city of Utica, as amended by chapter 371 of the Laws of 1876, entitled 'An act to amend chapter 18 of the Laws of 1862, entitled 'An act to revise the charter of the city of Utica,' " are hereby amended so as to read, respectively, as follows:

§ 4. The officers of the city shall be denominated city officers and ward officers. The city officers shall be a mayor, a recorder, a treasurer and four justices of the peace, who shall be elected by ballot by the electors of the city; a clerk and a corporation counsel, who shall be appointed by the common council; and such other officers as the common council may appoint under the provisions of this act, and a city surveyor, who shall be appointed annually by the mayor within ten days after he shall enter upon the duties of his office. The ward officers shall be, in each ward, a supervisor, one alderman, one assessor, one collector, one constable, and so many inspectors of election as shall be required by the law relative to elections. The ward officers shall be elected by ballot by the electors of the respective wards.

§ 12. The treasurer, corporation counsel, clerk, city surveyor, policemen and collectors shall severally, before they enter upon the duties of their offices, file with the clerk a bond to the city of Utica in such penalty and with such sureties as the common council shall direct, the sureties to be approved by the common council, conditioned that they shall faithfully perform the duties of their respective offices, and account for and pay over all moneys to be received by them by virtue thereof. The common council may, at any time, by ordinance or resolution, require any other officers or servants of the corporation to file such bond.

§ 16. Resignations of any office held under the provisions of this act may be made to the common council, excepting in the cases where

the power of appointment is conferred on the mayor. The common council may fill all vacancies in any offices provided for by this act for the remainder of the current civil year, excepting in the case of aldermen, and of officers authorized to be appointed by the mayor.

§ 24. The clerk shall keep the corporate seal and all papers belonging to the city, and shall attend the meetings of the common council and make a record of its proceedings, and perform such other duties as are required of him by this act, and such as he will be charged with by the common council. He shall keep an accurate account of all warrants issued in a book to be provided for that purpose. Copies of all papers filed in his office and transcripts from the record of the proceedings of the common council, duly certified by him under the corporate seal, shall be evidence in all courts in like manner as if the originals were produced and proven. The city clerk shall perform the duties of clerk to the board of health and to the board of town auditors, and shall receive in full compensation for all services required of him by law an annual salary of \$1,500, payable quarterly.

§ 25. The city surveyor shall possess all the powers and perform all the duties which, by the acts hereby amended, were exercised and performed by the street commissioner, and which are now or may be hereafter prescribed by ordinances or directions of the common council. He shall prepare plans, specifications and estimates, when thereto directed by the common council, of proposed public improvements, and shall superintend the opening of streets and the preservation of the true lines thereof. It shall be his duty to prepare maps, so far as may be practicable, of all public sewers and drains, and of all real estate belonging to the city; and he shall also make, or cause to be made, accurate maps and records of all work done by him in his official character, which maps and records shall belong to the city, and shall be kept in his office, and be open to the examination of all citizens of Utica. The city surveyor may be removed by the mayor upon proof of official or other misconduct, after having been furnished with a copy of the charges preferred, and given an opportunity for defense. In the occurrence of a vacancy, from any cause, in his office, the mayor shall appoint a city surveyor for the unexpired term. The city surveyor shall receive for his services an annual salary of \$2,000, payable quarterly, which shall be in full compensation for all services and duties required of and rendered by him; and the further sum of \$500 shall be paid in quarterly installments of \$125 each, to a competent assistant, to be selected by the city surveyor. The term of office of such assistant shall expire with the term of his principal, unless he shall be sooner removed by him.

§ 16. The city surveyor shall superintend the making of public improvements ordered by the common council, and make contracts for work and labor which may be necessary, and discharge such other duties as the common council may require. He shall keep accurate accounts of all expenditures incurred by him in the performance of his duties, accompanied with statements of the expenditure, and shall render the same to the common council when thereto requested. No contract or agreement made by him on the part of the city shall be binding, until the same is ratified by the common council, but when so ratified it shall have the same effect as if executed under the corporate seal.

§ 34. The common council shall appoint the clerk, a corporation

counsel, and so many fence viewers, clerks of markets, sextons to have charge of the burial grounds belonging to the city, and messengers to attend upon its meetings as it may deem necessary. Such officers shall hold their office during the pleasure of the common council, except that the clerk shall hold his office during three years from the time of his appointment.

§ 109. Upon the assessment being made as provided in this title, an assessment list shall be made, to resemble, as nearly as practicable, the tax list in its form, and be provided with a column in which payments can be entered by the treasurer. Two copies thereof shall be made by the clerk and signed by the mayor and clerk, one of which shall be filed with the clerk and the other delivered to the treasurer. Notice in writing of the assessment and the amount thereof shall be given by the city clerk to the owners or representatives, respectively, of the property assessed, within five days after the assessment shall be thus filed. Such notice shall be given by mailing the same to each owner or representative, or by leaving a copy at his usual place of residence. All the provisions of this act, relative to the tax lists mentioned in section 48 of this act, to the assessments therein, and to the collection and payment of the moneys thereon, shall be applicable to the assessment lists provided in this title.

§ 113. In all cases where a sidewalk is directed to be constructed, not less than 60 days' time in case of a stone sidewalk, and 30 days in all other cases, shall be given to the owners of real estate fronting thereon, to construct the same under the direction of the city surveyor.

§ 133. The common council may, from time to time, require the city surveyor to prepare and furnish to any of the assessors, brief but certain descriptions of any real estate, to enable him to prepare the assessment roll of his ward, or require the city surveyor to prepare a roll for such assessor, containing the description of the real estate in the ward, with blanks for valuation and for the names of persons owning personal estate, and such other blanks as are required in assessment rolls, and the descriptions or rolls thus prepared shall be followed by the assessors in making their rolls. The services of the city surveyor, under this section, shall be audited and paid in the same manner as the assessors are paid, and he shall be allowed a reasonable compensation for his services.

§ 134. At and during the time prescribed by law for the hearing and examining of complaints in relation to assessments, the mayor and the committee of the common council on assessments shall have authority to meet with said assessor, for the purpose of hearing and examining said complaints, and in the disposition thereof shall severally have the same voice and authority possessed by said several assessors. A written notice stating the time and place of such meeting or meetings shall be personally served by the chairman of said board of assessors, upon the mayor and each of the members of said committee on assessments, at least 24 hours before the time of holding said meeting or meetings. The assessment rolls, prepared by said assessors, shall be made as now prescribed by law, except that they shall contain fifth and sixth columns. The city clerk shall insert in the fifth column the city tax, and in the sixth column the county tax; he shall make one copy of each of said assessment rolls containing the city tax, and deliver the same to the city treasurer as now required by law, also one copy of each thereof for delivery to one of the supervisors of the city,

as now required by law. When the board of supervisors of Oneida county shall have determined the rates of county taxes for the city of Utica, it shall be the duty of the city clerk to enter the county tax in said assessment rolls, and the copies thereof made as heretofore stated. After the assessors of the city shall have completed their assessment in the manner provided by law, and made a separate roll for each ward of the city, they shall file the same with the clerk of the city, who shall correct any clerical errors therein, and make exact copies of each of them, which copies he shall certify to be correct, and deliver the same to one of the supervisors of the city, on or before the first day of November, to be by him presented to the board of supervisors as the assessment rolls for the several wards of the city.

§ 2. Section 23 of the act entitled "An act to amend chapter 18 of the Laws of 1862, entitled 'An act to revise the charter of the city of Utica, passed May 20, 1876,'" is hereby amended so as to read as follows :

§ 23. It shall in all cases be the duty of the owner of any lot or piece of land in said city to keep the sidewalks adjoining his lot or piece of land in good repair, and also the duty of every owner or occupant to remove and clean away snow and ice, or other obstructions, from such sidewalks and to keep half the street or alley adjoining the same free from obstruction or obstacle. The city of Utica shall not be liable for any injury caused from such sidewalks being out of repair, or unlawfully obstructed, or dangerous from snow or ice, unless actual notice of the unsafe or dangerous condition thereof has prior to such injury been given to the city surveyor or common council.

Nor shall any citizen or property owner in said city be liable for any injury caused from such sidewalk being out of repair, or unlawfully obstructed, or dangerous from snow or ice, unless actual notice of the unsafe or dangerous condition thereof has been had by or has been given to the person sued prior to such injury. Nor shall any action be maintainable for damages claimed to have been caused by reason of the defective, unsafe and dangerous condition of such walks, unless notice in writing of the claim and of the time, place and defect complained of, and cause of the injury shall have been served upon the person or persons sued within ten days after the accident or casualty causing the damage occurred.

The city surveyor shall have the power to repair any sidewalk when the owner of the property shall neglect to repair the same for five days after written notice so to do has been served on him personally or at his residence, if his residence be known, and he live in the city; or otherwise by being left on the premises. The city surveyor shall also have power to clean any sidewalk from snow, ice or other obstructions where the same shall have remained for 24 hours. The city surveyor shall have the power to collect the expenses of any such work or repair from the owner of the property; and he shall send such owner, if his address be known, a bill of the amount thereof. The expense of such cleaning may be collected from either the owner or occupant of the property in like manner. If such expense is not paid the city surveyor shall file his affidavit showing in detail the actual cost thereof, and the property in front of which the work, repairing or cleaning was done, with the city clerk; and he shall add the amount thereof with interest at fifteen per cent from the time such affidavit was filed, to the amount assessed against such land for the next general city tax,

and the whole amount of such assessment shall be collected as is provided in reference to general city taxes. All claims against the city for damages for injuries to the person, claimed to have been caused or sustained by defects, want of repair, or obstructions from snow, ice or other causes in the streets, sidewalks or crosswalks of the city; or because of negligence of the city as to the streets, crosswalks or sidewalks of the city, shall be presented to the common council, in writing, within three months after said injury is received. Such writing shall describe the time, place, cause and extent of the injury so far as then practicable. The omission to present said claim as aforesaid within three months shall be a bar to any claim or action therefor against the city.

§ 3. No city officer of the city of Utica shall be entitled to receive any fee, reward, interest or commission from any person or source, nor any compensation except his official salary, on account of the discharge of any official duty. This section shall not apply to the compensation now allowed by law to assessors specially appointed in the case of local improvements, nor to the fees provided by law for the services of justices of the peace.

§ 4. The provisions of this act referring to the city clerk, and forbidding the taking of fees by city officials shall not take effect so far as the city clerk is concerned until after the expiration of the current term of office of the present city clerk; nor shall the provisions in regard to the city surveyor and street commissioner, and forbidding the taking of fees by officials take effect so far as such officials are concerned until the expiration of the current terms of office of the present city surveyor and street commissioner.

§ 5. All provisions of law conflicting with this act, in so far as they so conflict, are hereby repealed.

§ 6. Except as provided in section 4, this act shall take effect immediately.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Cookinham | Kennedy | Shuit |
| Andrews | Crapser | Lefever | Sipp |
| Baker, B. F. | Cullinan | Liddle | Sisson |
| Baker, O. S. | Curtis | Low | Skinner |
| Beach | Davis | McAvoy | Slingerland |
| Beates | Douglass | Miller | Strait |
| Benedict, E. D. | Duell | Mitchell | Tallmadge |
| Bennett | Ellis | Mooers | Titus |
| Bradley | Evans | Morgan | Tormey |
| Brennan | Ferris | Nowlan | Tozier |
| Bridges | Fish | Parker | Travis |
| Brodsky | Gorsline | Peck | Tuthill, H. H. |
| Bullock | Gray | Phillips | Tuttle, R. M. |
| Carpenter, E. A. | Griggs | Potts | Van Valkenburgh |
| Carpenter, I. S. | Grosse | Rhodes | Varnum |
| Case | Gwinup | Roberts | Warner |

| | | | |
|------------|-----------|---------|--------------|
| Chase | Havens | Root | Waterbury |
| Chickering | Hayes | Russell | Wells, D. A. |
| Childs | Howland | Sanders | Wells, J. L. |
| Clark | Hurd | Seeley | Weston |
| Clowes | Husted | Shanley | Wren |
| Congdon | Ingersoll | Sherman | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to provide for the appointment of a board of elections and of registers, canvassers, inspectors and poll clerks in the city of Brooklyn, and to fix their compensation," being announced for a third reading,

On motion of Mr. Russell, and by unanimous consent, said bill was amended in words following:

Line 1, section 1, strike out the words "on the first day of May, 1880," and insert in lieu thereof: "Immediately after the passage of this act."

At end of line 41, section 4, after the word "inspectors," insert the following: "Of like political faith."

In line 7, section 5, after the word "on" insert the words "or before."

Line 8, section 5, strike out after the word "September," the words "second Tuesday of October."

Line 9, section 5, strike out the word "said," and insert the words "their respective;" in same line, make the word "district" read "districts."

Section 5, strike out all of line 10.

In line 11, section 5, strike out the word "district" and the words "for their purposes they shall."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }
{ NOES 12 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Cookinham | Kennedy | Seeley |
| Andrews | Crapser | Lefever | Sheridan |
| Baker, B. F. | Curtis | Liddle | Sherman |
| Baker, C. S. | Davis | Low | Shuit |
| Beach | Douglass | McAvoy | Sipp |
| Beates | Duell | Mead | Sisson |
| Benedict, E. D. | Ferris | Miller | Skinner |
| Bradley | Fish | Mitchell | Slingerland |
| Brennan | Fiske | Mooers | Steele |
| Bridges | Fitzgerald | Morgan | Tallmadge |
| Brodsky | Gillette | Nowlan | Travis |
| Bullock | Gorsline | O'Brien | Van Valkenburgh |
| Carpenter, E. A. | Gray | Peck | Varnum |
| Carpenter, L. S. | Griggs | Phillips | Waterbury |
| Cass | Grosse | Potts | Wells, D. A. |
| Chamberlain | Gwinup | Roberts | Wells, J. L. |
| Chase | Howland | Root | Weston |
| Chickering | Hurd | Russell | Wren |

| | | | |
|---------|-----------|---------|--------|
| Childs | Husted | Sanders | Youngs |
| Congdon | Ingersoll | | |

Those who voted in the negative, were

| | | | |
|-----------------|--------|---------|---------|
| Benedict, T. E. | Ellis | Newman | Tormey |
| Clancy | Gibbs | Parker | Treanor |
| Dougherty | Havens | Shanley | Wiley |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same, with amendments.

The Senate sent for concurrence the Concurrent Resolution "Proposing an amendment to article 6 of the Constitution," which was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said Concurrent Resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 78 }
{ NOES 11 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Curtis | Low | Shanley |
| Andrews | Cushing | McAvoy | Sheridan |
| Baker, B. F. | Davis | McCabe | Sherman |
| Baker, C. S. | Douglass | McCarthy | Shuit |
| Beach | Duell | McDonald | Sipp |
| Beates | Dugaid | Mead | Sisson |
| Benedict, E. D. | Ferris | Miller | Slingerland |
| Bennett | Fish | Mitchell | Tallmadge |
| Bradley | Fiske | Mooers | Tormey |
| Brodsky | Fitzgerald | Morgan | Tozier |
| Bullock | Gibbs | Nowlan | Travis |
| Carpenter, I. S. | Gorsline | Phillips | Treanor |
| Catlin | Gray | Potts | Van Valkenburgh |
| Chamberlain | Grosse | Rhodes | Waterbury |
| Chickering | Hagan | Roberts | Wells, D. A. |
| Childs | Hurd | Root | Wells, J. L. |
| Clark | Husted | Russell | Weston |
| Cohen | Kennedy | Sanders | Wren |
| Cookinham | Lefever | Seeley | Mr. Speaker |
| Cullinan | Liddle | | |

Those who voted in the negative, were

| | | | |
|-----------------|---------|--------|---------|
| Benedict, T. E. | Chase | Griggs | Parker |
| Bridges | Crapser | Gwinup | Skinner |
| Case | Ellis | Havens | |

Ordered, That the Clerk return said Concurrent Resolution to the Senate, with a message informing of concurrence therein.

The Senate sent for concurrence the bill entitled "An act to amend chapter 570 of the Laws of 1872, entitled 'An act to ascertain by proper proofs the citizens who shall be entitled to the right of suffrage in the State of New York, except in the city and county of New York and the city of Brooklyn, and to repeal chapter 572 of the Laws of 1871, entitled 'An act in relation to elections in the city and county of New York,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Russell, and by unanimous consent, said bill was ordered to a third reading.

Mr. Hurd in the chair.

Senate bill entitled "An act to facilitate the distribution and division of the estate of George Bright, deceased," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 78 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Deane | McAvoy | Sherman |
| Andrews | Douglass | McCabe | Shuit |
| Baker, B. F. | Duell | McCarthy | Sipp |
| Beates | Duguid | McDonald | Sisson |
| Benedict, E. D. | Ferris | McTernan | Skinner |
| Bradley | Fish | Miller | Slingerland |
| Brodsky | Fitzgerald | Mitchell | Steele |
| Bullock | Gibbs | Moers | Tallmadge |
| Carpenter, E. A. | Gillette | Morgan | Tormey |
| Carpenter, I. S. | Gorsline | Newman | Tozier |
| Case | Griggs | Nowlan | Travis |
| Chamberlain | Grosse | Parker | Treanor |
| Chase | Gwinup | Potts | Van Valkenburgh |
| Congdon | Hayes | Roberts | Varnum |
| Cookinham | Hurd | Root | Waterbury |
| Crapser | Husted | Russell | Wells, D. A. |
| Cullinan | Ingersoll | Sanders | Weston |
| Curtis | Kennedy | Seeley | Wiley |
| Cushing | Lefever | Sheridan | Wren |
| Davis | Liddle | | |

Those who voted in the negative, were

Benedict, T. E.

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Assembly bill entitled "An act to amend chapter 337, Laws of 1864, entitled 'An act to facilitate the construction of water-ways, and to increase the facilities of navigation in the transportation of freight and passengers,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 76 }
{ NOES 4 }

Those who voted in the affirmative, were

| | | | |
|-----------------|----------|----------|-------------|
| Baker, B. F. | Curtis | Kennedy | Sheridan |
| Baker, O. S. | Cushing | Lefever | Sherman |
| Beach | Davis | Liddle | Shuit |
| Beates | Deane | Lindsay | Sisson |
| Benedict, E. D. | Douglass | McAvoy | Skinner |
| Benedict, T. E. | Duell | McCabe | Slingerland |
| Bennett | Duguid | McCarthy | Steele |
| Bradley | Ellis | McDonald | Tallmadge |
| Bridges | Ferris | Miller | Thilemann |

| | | | |
|-------------|------------|----------|--------------|
| Brodsky | Fish | Moosers | Tormey |
| Bullock | Fitzgerald | Morgan | Tozier |
| Catlin | Gibbs | Parker | Travis |
| Chamberlain | Gillette | Peck | Treanor |
| Chase | Gorsline | Phillips | Waterbury |
| Clancy | Gray | Roberts | Wells, D. A. |
| Clark | Griggs | Root | Wells, J. L. |
| Congdon | Gwinup | Russell | Weston |
| Cookinham | Hurd | Sanders | Wiley |
| Cullinan | Husted | Seeley | Wren |

Those who voted in the negative, were

| | | | |
|------------------|---------|--------|--------|
| Carpenter, E. A. | Crapser | Grosse | Havens |
|------------------|---------|--------|--------|

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Steele, from the committee on engrossed bills, reported as correctly engrossed the following bills:

"An act to promote agriculture and to facilitate the formation of agricultural and horticultural societies."

"An act to repeal chapter 416 of the Laws of 1876, entitled 'An act to amend chapter 440 of the Laws of 1873, entitled 'An act requiring commissioners of highways to act as inspectors of plank-roads and turnpikes, and for other purposes.'"

"An act in relation to the temporary relief of the poor in the town of Goshen, Orange county."

"An act to amend chapter 766 of the Laws of 1870, entitled 'An act to improve and keep in repair the highway from Wilmington to North Elba, in the county of Essex.'"

"An act in relation to printing and publishing the Code of Criminal Procedure."

"An act to amend section 3 of chapter 582 of the Laws of 1864, entitled 'An act to amend an act entitled 'An act to authorize the formation of railroad corporations and to regulate the same, passed April 2, 1850.'"

"An act to amend chapter 193 of the Laws of 1849, entitled 'An act to amend the Revised Statutes in relation to summary proceedings to recover possession of land, passed April 3, 1849.'"

The bill entitled "An act for the relief of Phillip Hathaway," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 78 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|--------------|-----------|-----------|-------------|
| Andrews | Curtis | Hurd | Russell |
| Baker, B. F. | Davis | Husted | Sanders |
| Baker, C. S. | Deane | Ingersoll | Seeley |
| Beach | Dougherty | Kennedy | Sherman |
| Beates | Douglass | Lefever | Shuit |
| Bradley | Duell | Liddle | Sipp |
| Brennan | Duguid | McAvoy | Sisson |
| Bridges | Ellis | McCabe | Skinner |
| Brodsky | Fish | McCarthy | Slingerland |
| Bullock | Fiske | Miller | Tallmadge |

| | | | |
|------------------|----------|----------|--------------|
| Carpenter, E. A. | Gibbs | Mitchell | Tormey |
| Carpenter, I. S. | Gillette | Mooers | Tozier |
| Case | Gorsline | Morgan | Travis |
| Chase | Gray | Newman | Warner |
| Clark | Griggs | Nowlan | Waterbury |
| Clowes | Grosse | Parker | Wells, D. A. |
| Cohen | Gwinup | Potts | Wells, J. L. |
| Congdon | Havens | Roberts | Weston |
| Cookinham | Hayes | Root | Wren |
| Cullinan | Howland | | |

Those who voted in the negative, were

Crapsier

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the trustees of the village of Pierrepont, in the county of Rockland, to macadamize the highway in said village," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Davis | Kennedy | Seeley |
| Andrews | Deane | Lefever | Shanley |
| Baker, B. F. | Dougherty | Liddle | Sheridan |
| Baker, C. S. | Douglass | McAvoy | Sherman |
| Beach | Duell | McDonald | Shuit |
| Beates | Duguid | Mead | Sipp |
| Bennett | Ellis | Miller | Sisson |
| Bradley | Evans | Mitchell | Skinner |
| Brennan | Ferris | Mooers | Slingerland |
| Bridges | Fish | Morgan | Strait |
| Brodsky | Fitzgerald | Newman | Tallmadge |
| Bullock | Gibbs | Nowlan | Tozier |
| Carpenter, E. A. | Gillette | Parker | Travis |
| Carpenter, I. S. | Gorsline | Peck | Tuthill, H. H. |
| Chase | Gray | Phillips | Tuttle, R. M. |
| Chickering | Griggs | Pitcher | Varnum |
| Clark | Gwinup | Potts | Warner |
| Clowes | Havens | Rhodes | Waterbury |
| Congdon | Hayes | Roberts | Wells, D. A. |
| Cookinham | Howland | Root | Wells, J. L. |
| Crapsier | Hurd | Russell | Weston |
| Cullinan | Husted | Sanders | Wren |
| Curtis | Ingersoll | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the payment of the salary and legal expenses of George W. Morton, an excise commissioner in the city of New York," being announced for a third reading,

Mr. Mitchell moved to recommit said bill to the committee on cities, with instructions to amend said bill in words following:

Section 1, line 2, after the word "authorized" strike out the words "and directed."

Mr. Speaker put the question whether the House would agree to the motion of Mr. Mitchell, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }
{ NOES 5 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|-----------------|
| Alvord | Crapser | Hurd | Shanley |
| Baker, B. F. | Cullinan | Husted | Sheridan |
| Baker, C. S. | Curtis | Ingersoll | Sherman |
| Beach | Davis | Kennedy | Shuit |
| Beates | Deane | Lefever | Sipp |
| Benedict, E. D. | Dougherty | Liddle | Sisson |
| Bennett | Douglass | Lindsay | Skinner |
| Bradley | Duell | Low | Slingerland |
| Brennan | Duguid | McAvoy | Tallmadge |
| Bridges | Ferris | McCarthy | Titus |
| Brodsky | Fish | McTernan | Tozier |
| Bullock | Fiske | Mead | Travis |
| Carpenter, E. A. | Fitzgerald | Miller | Treanor |
| Carpenter, I. S. | Gibbs | O'Connor | Van Valkenburgh |
| Case | Gillette | Pitcher | Varnum |
| Catlin | Gorsline | Potts | Waterbury |
| Chase | Gray | Roberts | Wells, D. A. |
| Chickering | Griggs | Root | Wells, J. L. |
| Clark | Grosse | Russell | Weston |
| Clowes | Hayes | Sanders | Wiley |
| Cookinham | Howland | Seeley | Wren |

Those who voted in the negative, were

| | | | |
|-----------------|--------|----------|----------|
| Benedict, T. E. | Havens | McDonald | Mitchell |
| Ellis | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 101 of the Laws of 1879, entitled 'An act to amend section 28 of article 2 of title 10 of chapter 8 of part 3 of the Revised Statutes, relating to summary proceedings to recover the possession of land,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|----------|----------|----------|
| Alvord | Curtis | Liddle | Seeley |
| Andrews | Cushing | Lindsay | Sheridan |
| Baker, B. F. | Davis | McAvoy | Sherman |
| Baker, C. S. | Deane | McCabe | Shuit |
| Beach | Douglass | McCarthy | Sipp |
| Beates | Duell | McDonald | Sisson |
| Benedict, E. D. | Ellis | McTernan | Skinner |
| Benedict, T. E. | Ferris | Mead | Steele |

| | | | |
|------------------|-----------|----------|--------------|
| Bradley | Fish | Miller | Tallmadge |
| Bridges | Fiske | Moore | Terpeny |
| Brodsky | Gillette | Morgan | Terry |
| Carpenter, E. A. | Gorsline | Nowlan | Titus |
| Case | Gray | Peck | Tozier |
| Catlin | Grosse | Phillips | Travis |
| Chamberlain | Hayes | Pitcher | Varnum |
| Chase | Howland | Potter | Waterbury |
| Chickering | Hurd | Roberts | Wells, D. A. |
| Clark | Husted | Root | Wells, J. L. |
| Clowes | Ingersoll | Russell | Weston |
| Crapser | Kennedy | Sanders | Wren |
| Cullinan | Lefever | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence the bills entitled as follows :

"An act to provide for submitting a proposed amendment to the Constitution to the electors of the State," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Husted, and by unanimous consent, said bill was ordered to a third reading.

"An act to amend the Code of Civil Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to repeal chapter 54 of the Laws of 1877, entitled 'An act in regard to the powers of the associate rector of the St. Luke's Memorial Church, in the city of Utica, county of Oneida, and State of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act in relation to printing and publishing the Code of Criminal Procedure," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Husted, and by unanimous consent, said bill was ordered to a third reading.

Senate bill entitled "An act to enlarge the powers of the Waterville Opera House Company (limited)," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|-----------|-------------|
| Alvord | Congdon | Husted | Russell |
| Baker, B. F. | Cookinham | Ingersoll | Sanders |
| Baker, C. S. | Crapser | Kennedy | Seeley |
| Beach | Cullinan | Lefever | Sherman |
| Beates | Deane | Liddle | Shuit |
| Benedict, E. D. | Dougherty | Low | Sipp |
| Bennett | Douglass | McAvoy | Sisson |
| Bradley | Duell | McCabe | Skinner |
| Brennan | Duguid | McCarthy | Slingerland |
| Bridges | Evans | McDonald | Steele |
| Brodsky | Ferris | Mead | Tallmadge |
| Bullock | Fish | Miller | Titus |

| | | | |
|------------------|----------|----------|-----------------|
| Carpenter, E. A. | Gillette | Mitchell | Tozier |
| Carpenter, I. S. | Gorsline | Moors | Tuttle, R. M. |
| Case | Gray | Morgan | Van Valkenburgh |
| Catlin | Griggs | Nowlan | Varnum |
| Chase | Gwinup | Peck | Waterbury |
| Chickering | Havens | Pitcher | Wells, D. A. |
| Clark | Hayes | Potts | Wells, J. L. |
| Clowes | Howland | Roberts | Weston |
| Cohen | Hurd | Root | Wren |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Chickering offered for the consideration of the House a resolution in the words following :

Resolved, That the committee of the whole be discharged from the further consideration of Assembly bill No. 591, entitled "An act to amend section 9, title 1, chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,'" and that said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate returned Assembly bill entitled "An act to amend section 435 of the Code of Civil Procedure," with a message that they have concurred in the passage of the same with the following amendments :

Section 1, line 5, strike out the word "of" and insert "for."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 66 }
{ NOES 11 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|----------|-----------------|
| Beach | Douglass | Miller | Sisson |
| Beates | Duell | Mitchell | Skinner |
| Benedict, E. D. | Duguid | Morgan | Slingerland |
| Bridges | Ferris | Nowlan | Steele |
| Brodsky | Gorsline | Phillips | Tallmadge |
| Carpenter, E. A. | Grosse | Pitcher | Thilemann |
| Case | Hurd | Potts | Tozier |
| Chamberlain | Husted | Roberts | Travis |
| Childs | Kennedy | Root | Tuttle, R. M. |
| Clark | Lefever | Russell | Van Valkenburgh |
| Clowes | Liddle | Sanders | Varnum |
| Cohen | Low | Seeley | Waterbury |
| Congdon | McAvoy | Sheridan | Wells, D. A. |
| Cullinan | McCabe | Sherman | Wells, J. L. |
| Curtis | McCarthy | Shuit | Wren |
| Deane | McDonald | Sipp | Youngs |
| Dougherty | Mead | | |

Those who voted in the negative, were

| | | | |
|-----------------|----------|----------|---------|
| Alvord | Crapsier | Havens | Rhodes' |
| Benedict, T. E. | Cushing | O'Connor | Treanor |
| Bradley | Gwinup | Parker | |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

A message from the Senate was received and read, informing of concurrence in the passage of the following bills:

"An act to amend section 16 of article 3, chapter 6, part 1 of the Revised Statutes."

"An act to amend chapter 774 of the Laws of 1872, entitled 'An act to incorporate the fire department of the village of Watkins.'"

"An act establishing the compensation of the county judge and surrogate of the county of Rockland."

"An act to legalize and confirm the action of the election of the town of Wilmington in the county of Essex."

"An act to regulate the passage of lumber, logs and other timber upon the rivers of this State, recognized by law or common use as public highways for the purpose of floating and running lumber, logs and other timber over or upon the same to market or places of manufacture."

"An act to amend chapter 123 of the Laws of 1874, entitled 'An act to amend the charter of the Hudson Suspension Bridge and New England Railway Company.'"

"An act permitting the common council of the city of Buffalo, in its discretion, to allow or disallow, in whole or in part, any claim or claims in abating certain nuisances by direction of the board of health of the city of Buffalo in the years 1877 and 1878."

"An act in relation to the valuation of the property of the president, managers, and company of the Delaware and Hudson Canal Company in school districts, for the purpose of taxation."

"An act to authorize and direct the comptroller of the city of New York to pay the salary of James E. McVeany, as one of the assistant aldermen of the city of New York."

"An act to incorporate the Bachelor Club of the city of New York."

"An act to amend an act entitled 'An act authorizing the incorporation of rural cemetery associations, passed April 27, 1847, and the acts amendatory thereof.'"

"An act to provide for the protection of mechanics and others."

"An act to amend chapter 555, Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction, passed May 2, 1864, three-fifths being present.'"

"An act to provide for the improvement of Steinway avenue, in Long Island City."

"An act conferring additional powers upon the board of supervisors of the county of Franklin."

"An act to incorporate the Holstein Breeders Association of America."

"An act to prevent the sale of any adulterated article as cider vinegar."

"An act to regulate the taking of claims and oysters in the waters of the State of New York on the north side of Staten Island."

"An act to further amend chapter 262 of the Laws of 1855, entitled 'An act revising and amending an act entitled 'An act to incorporate the village of Ulster.'"

"An act to legalize the acts of Franklin C. Whitney as a notary public."

"An act to legalize the official acts of Samuel Williams, a justice of the peace of Bridgewater, in the county of Oneida."

"An act in relation to uncollected taxes in the several towns and wards in this State."

"An act to amend chapter 446, Laws of 1879, entitled 'An act to amend chapter 361, Laws of 1867, entitled 'An act authorizing supplementary proceedings for the collection of taxes.'"

"An act to exempt the corporation of the village of Monticello, in Sullivan county, and the trustees and other officers of said village, from the provisions of chapter 440 of the Laws of 1873, entitled 'An act requiring commissioners of highways to act as inspectors of plank roads and turnpikes, passed May 8, 1873.'"

"An act to amend chapter 162 of the Laws of 1872, entitled 'An act for the protection of tax payers against the frauds, embezzlements and wrongful acts of public officers and agents, as amended by chapter 526 of the Laws of 1879.'"

"An act to authorize the Comptroller to compromise and settle claims against the sureties of the New York and Erie Bank of Buffalo."

"An act to legalize the official acts of the supervisor of the town of Eden, Erie county, performed instead of commissioners, provided for by chapter 907 of the Laws of 1869."

"An act to change the name of Hamburg Cemetery Association to Prospect Lawn Cemetery Association, and to legalize certain acts of said association."

"An act to reduce the width of Riker avenue, in Long Island City, in the county of Queens, from 130 feet to 80 feet."

"An act to amend chapter 611 of the Laws of 1875, entitled 'An act to provide for the organization and regulation of certain business corporations.'"

"An act to authorize joint-stock fire insurance companies to issue policies providing against loss or damage by lightning."

"An act to amend section 27, article 2, title 2, chapter 1, part 4 of the Revised Statutes of the State of New York."

"An act supplementary to chapter 374 of the Laws of 1878, entitled 'An act to amend chapter 200 of the Laws of 1874, entitled 'An act to authorize the appraisal and sale of leased fine salt lots on the Onondaga Salt Springs Reservation by the Commissioners of the Land Office, and to authorize the sale of certain coarse salt lands, the removal of vats therefrom, and the purchase of other lands in lieu thereof.'"

"An act to amend chapter 265 of the Laws of 1848, entitled 'An act to provide for the incorporation and regulation of telegraph companies.'"

"An act for the relief of the Union Plank Road Company."

"An act to provide for the protection and preservation of fish in the county of Monroe, State of New York."

"An act in relation to companies insuring steam boilers."

"An act to confirm the official acts of George M. Briggs, Charles Forbes and George W. Brimmer, commissioners of excise in and for the town of Broadalbin, in the county of Fulton, and to enable them to execute a bond to the supervisor thereof."

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Alvord moved that this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

And, at seven o'clock and twenty-five minutes, the House adjourned.

WEDNESDAY MORNING, MAY 26, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Upson.

The journal of yesterday was read and approved.

Mr. Cookinham offered for the consideration of the House a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return of Assembly bill No. 386, entitled "An act to reduce and fix the rate of interest on mortgages held by the Commissioners of the United States Deposit Fund, in the several counties of the State," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The bill entitled "An act to incorporate the Supreme Council of Royal Templars of Temperance, and to provide for the organization of select councils, and a grand council for the State of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Davis | Lindsay | Sheridan |
| Andrews | Deane | Low | Shuit |
| Beach | Douglass | McCabe | Sisson |
| Beates | Duell | Miller | Skinner |
| Benedict, T. E. | Duguid | Mitchell | Slingerland |
| Bradley | Ellis | Mooers | Steele |
| Brennan | Evans | Morgan | Tallmadge |
| Bridges | Ferris | Newman | Terpeny |
| Brodsky | Fish | Nowlan | Titus |
| Bullock | Fiske | O'Connor | Tormey |
| Carpenter, E. A. | Fitzgerald | Peck | Travis |
| Carpenter, I. S. | Gray | Phillips | Treanor |
| Case | Griggs | Pitcher | Tuthill, H. H. |
| Chamberlain | Havens | Potts | Tuttle, R. M. |
| Chickering | Hayes | Roberts | Waterbury |
| Childs | Hurd | Root | Wells, D. A. |
| Congdon | Husted | Russell | Wells, J. L. |
| Cookinham | Kennedy | Sanders | Weston |
| Crapser | Lefever | Seeley | Wren |
| Cullinan | Liddle | Shanley | Youngs |
| Curtis | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 426 of the Laws of 1847, entitled 'An act to provide for the incorporation of villages, so far as the same relates to the village of Corning, in the county of Steuben,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Davis | Low | Sherman |
| Andrews | Deane | McAvoy | Shuit |
| Beach | Douglass | McCabe | Sisson |
| Beates | Duell | McTernan | Skinner |
| Bradley | Duguid | Miller | Slingerland |
| Brennan | Ellis | Mitchell | Steele |
| Bridges | Evans | Mooers | Tallmadge |
| Brodsky | Ferris | Morgan | Terpeny |
| Bullock | Fish | Newman | Terry |
| Carpenter, I. S. | Fiske | Nowlan | Titus |
| Case | Fitzgerald | Peck | Tormey |
| Chamberlain | Gorsline | Phillips | Tozier |
| Chickering | Gray | Pitcher | Travis |
| Childs | Griggs | Potts | Treanor |
| Cohen | Gwinup | Roberts | Tuthill, H. H. |
| Congdon | Hayes | Root | Tuttle, R. M. |
| Chamberlain | Husted | Russell | Waterbury |
| Costello | Kennedy | Sanders | Wells, D. A. |
| Cullinan | Lefever | Seeley | Wells, J. L. |
| Curtis | Liddle | Shanley | Wren |
| Cushing | Lindsay | Sheridan | Youngs, |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the Equity Gas Light Company of the Eastern District of the city of Brooklyn to change its name," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 81 }
{ NOES 3 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Cushing | Lefever | Shuit |
| Andrews | Davis | Liddle | Sisson |
| Baker, C. S. | Deane | Low | Skinner |
| Beach | Douglass | McAvoy | Slingerland |
| Beates | Duell | McCabe | Steele |
| Bratley | Duguid | Miller | Terry |
| Bridges | Ellis | Mitchell | Thilemann |
| Brodsky | Evans | Mooers | Titus |
| Bullock | Ferris | Morgan | Tormey |
| Carpenter, E. A. | Fish | Nowlan | Tozier |
| Carpenter, I. S. | Fiske | Parker | Travis |
| Case | Fitzgerald | Peck | Treanor |
| Chamberlain | Gray | Phillips | Tuthill, H. H. |
| Chase | Griggs | Pitcher | Tuttle, R. M. |
| Chickering | Havens | Potts | Waterbury |
| Childs | Hayes | Roberts | Wells, D. A. |

| | | | |
|----------|---------|---------|--------------|
| Cohen | Howland | Root | Wells, J. L. |
| Congdon | Hurd | Sanders | Weston |
| Crapsier | Husted | Seeley | Wren |
| Cullinan | Kennedy | Sherman | Youngs |
| Curtis | | | |

Those who voted in the negative, were

| | | |
|---------|---------|-----------|
| Lindsay | Russell | Tallmadge |
|---------|---------|-----------|

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 381 of the Laws of 1875, entitled 'An act supplemental to an act entitled 'An act to provide for the incorporation of religious societies, and of the several acts amendatory thereof,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Davis | Liddle | Shuit |
| Andrews | Deane | Lindsay | Sipp |
| Baker, C. S. | Dougherty | Low | Sisson |
| Beach | Douglass | McCabe | Skinner |
| Beates | Duell | Miller | Steele |
| Bradley | Duguid | Mitchell | Strait |
| Brennan | Ellis | Mooers | Tallmadge |
| Bridges | Evans | Morgan | Terpeny |
| Brodsky | Ferris | Newman | Terry |
| Bullock | Fish | Nowlan | Titus |
| Carpenter, I. S. | Fiske | Parker | Tozier |
| Cass | Fitzgerald | Peck | Travis |
| Chamberlain | Gray | Phillips | Treanor |
| Chase | Griggs | Pitcher | Tully |
| Chickering | Gwinup | Potter | Tuthill, H. H. |
| Childs | Havens | Potts | Tuttle, R. M. |
| Congdon | Hayes | Roberts | Waterbury |
| Cookinham | Howland | Root | Wells, D. A. |
| Costello | Hurd | Russell | Wells, J. L. |
| Crapsier | Husted | Sanders | Weston |
| Cullinan | Kennedy | Seeley | Wren |
| Curtis | Lefever | Sherman | Youngs |
| Cushing | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to amend chapter 320 of the Laws of 1859, entitled 'An act to amend the incorporation of the village of Lancaster, in the county of Erie,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Curtis | Kennedy | Seeley |
| Andrews | Cushing | Lefever | Sheridan |
| Baker, C. S. | Davis | Liddle | Shuit |
| Beach | Deane | Lindsay | Sipp |
| Beates | Dougherty | Low | Sisson |
| Benedict, E. D. | Douglass | McCabe | Skinner |
| Bradley | Duell | Miller | Steele |
| Brennan | Duguid | Mitchell | Tallmadge |
| Bridges | Ellis | Mooers | Terpeny |
| Brodsky | Ferris | Morgan | Terry |
| Bullock | Fiske | Newman | Thilemann |
| Carpenter, I. S. | Fitzgerald | Nowlan | Titus |
| Case | Gray | O'Connor | Tozier |
| Chamberlain | Griggs | Peck | Travis |
| Chase | Grosse | Phillips | Treanor |
| Chickering | Gwinup | Pitcher | Tuthill, H. H. |
| Childs | Hagan | Potts | Tuttle, R. M. |
| Cohen | Havens | Rhodes | Varnum |
| Congdon | Hayes | Roberts | Wells, D. A. |
| Cookinham | Howland | Root | Wells, J. L. |
| Costello | Hurd | Russell | Weston |
| Crapser | Husted | Sanders | Wren |
| Cullinan | | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to legalize the official acts of Charles I. Schampain as a notary public for the county of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Deane | McCabe | Sipp |
| Andrews | Dougherty | Miller | Sisson |
| Baker, C. S. | Douglass | Mooers | Skinner |
| Beach | Duell | Morgan | Steele |
| Beates | Duguid | Newman | Strait |
| Benedict, E. D. | Ellis | Nowlan | Tallmadge |
| Bradley | Evans | O'Brien | Terpeny |
| Brennan | Ferris | Parker | Terry |
| Bridges | Fish | Peck | Thilemann |
| Brodsky | Fiske | Phillips | Titus |
| Bullock | Fitzgerald | Pitcher | Tormey |
| Carpenter, I. S. | Gray | Potter | Tozier |
| Chamberlain | Griggs | Potts | Travis |
| Chase | Hagan | Rhodes | Treanor |
| Chickering | Havens | Roberts | Tuthill, H. H. |
| Childs | Hayes | Root | Tuttle, R. M. |
| Congdon | Howland | Russell | Varnum |
| Costello | Hurd | Sanders | Waterbury |

Crapser
Cullinan
Curtis
Cushing
Davis

Husted
Lefever
Liddle
Lindsay
Low

Seeley
Shanley
Sheridan
Shuit

Wells, D. A.
Wells, J. L.
Weston
Wren

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 133 of the Laws of 1847, entitled 'An act authorizing the incorporation of rural cemetery associations, passed April 27, 1847,'" having been announced for a third reading,

Mr. Curtis moved to recommit said bill to the committee on charitable and religious societies, with instructions to strike out the enacting clause.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 68 }
{ NOES 25 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|--------------|
| Baker, C. S. | Costello | Havens | Seeley |
| Beach | Crapser | Hayes | Shanley |
| Benedict, E. D. | Cushing | Hurd | Sheridan |
| Benedict, T. E. | Deane | Husted | Sipp |
| Bennett | Dougherty | Liddle | Sisson |
| Bradley | Duell | McAvoy | Skinner |
| Brodsky | Duguid | McCarthy | Steele |
| Bullock | Ellis | McTernan | Tallmadge |
| Carpenter, E. A. | Evans | Miller | Terpeny |
| Carpenter, I. S. | Fish | Newman | Thilemann |
| Chickering | Fitzgerald | O'Brien | Tormey |
| Childs | Gillette | O'Connor | Tozier |
| Clancy | Gray | Phillips | Treanor |
| Clowes | Griggs | Rhodes | Waterbury |
| Cohen | Grosse | Roberts | Wells, D. A. |
| Congdon | Gwinup | Root | Weston |
| Cookinham | Hagan | Sanders | Wiley |

Those who voted in the negative, were

| | | | |
|-------------|-----------|---------|-------------|
| Alvord | Curtis | Lefever | Pitcher |
| Beates | Davis | Lindsay | Potts |
| Brennan | Douglass | Low | Russell |
| Bridges | Gorsline | Mooers | Slingerland |
| Case | Howland | Morgan | Titus |
| Chamberlain | Ingersoll | Nowlan | Varnum |
| Cullinan | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 554 of the Laws of 1873, entitled 'An act amending chapter 837, Laws of 1868, and chapter 623, Laws of 1869, in reference to the laying out, opening and continuing Bushwick avenue, in the town of New Lots, Kings county,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|--------------|
| Alvord | Curtis | Ingersoll | Seeley |
| Andrews | Cushing | Lefever | Shanley |
| Baker, B. F. | Davis | Liddle | Sheridan |
| Baker, C. S. | Deane | Lindsay | Sherman |
| Beach | Douglass | Low | Shuit |
| Beates | Duell | McCabe | Sipp |
| Benedict, E. D. | Duguid | McCarthy | Sisson |
| Bradley | Ellis | McDonald | Skinner |
| Brennan | Evans | Miller | Steele |
| Bridges | Ferris | Mitchell | Tallmadge |
| Brodsky | Fish | Mooers | Terpeny |
| Bullock | Fitzgerald | Morgan | Terry |
| Carpenter, E. A. | Gibbs | Newman | Thilemann |
| Carpenter, I. S. | Gillette | Nowlan | Titus |
| Case | Gorsline | O'Brien | Tozier |
| Chamberlain | Gray | Phillips | Travis |
| Chickering | Griggs | Pitcher | Treanor |
| Childs | Grosse | Potts | Varnum |
| Clancy | Gwinup | Rhodes | Waterbury |
| Clowes | Hayes | Roberts | Wells, D. A. |
| Congdon | Howland | Root | Wells, J. L. |
| Cookinham | Hurd | Russell | Weston |
| Crapser | Husted | Sanders | Wren |
| Cullinan | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act allowing actions brought in the marine court of the city of New York against the mayor, aldermen and commonalty of the city of New York to be discontinued and recommenced in any court of competent jurisdiction and the time in which the same may be brought," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|-----------|-----------|
| Alvord | Curtis | Ingersoll | Shanley |
| Andrews | Cushing | Lefever | Sheridan |
| Baker, B. F. | Davis | Liddle | Shuit |
| Baker, C. S. | Deane | Lindsay | Sipp |
| Beach | Dougherty | Low | Sisson |
| Beates | Duell | McAvoy | Steele |
| Benedict, E. D. | Duguid | McDonald | Tallmadge |
| Bennett | Ellis | Miller | Terpeny |
| Brennan | Evans | Mooers | Terry |

| | | | |
|------------------|------------|----------|----------------|
| Bridges | Ferris | Morgan | Thilemann |
| Brodsky | Fish | Newman | Titus |
| Bullock | Fitzgerald | Nowlan | Tozier |
| Carpenter, E. A. | Gillette | O'Brien | Travis |
| Carpenter, I. S. | Gorsline | Phillips | Treanor |
| Case | Gray | Pitcher | Tuthill, H. H. |
| Chickering | Grosse | Potter | Varnum |
| Childs | Hagan | Potts | Waterbury |
| Clancy | Hayes | Roberts | Wells, D. A. |
| Clowes | Hoffman | Root | Wells, J. L. |
| Congdon | Howland | Russell | Weston |
| Cookinham | Hurd | Sanders | Wiley |
| Costello | Husted | Seeley | Wren |
| Cullinan | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the relief of James B. Brady," having been announced for a third reading,

Mr. Cohen moved to recommit said bill to the committee on cities, with instructions to strike out the enacting clause.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Deane | Lindsay | Sherman |
| Andrews | Douglass | McAvoy | Shuit |
| Baker, B. F. | Duell | McCabe | Sipp |
| Baker, C. S. | Duguid | McDonald | Sisson |
| Beach | Ellis | Miller | Skinner |
| Beates | Evans | Mitchell | Steele |
| Bennett | Ferris | Mooers | Tallmadge |
| Bradley | Fish | Morgan | Terpeny |
| Brennan | Fitzgerald | Newman | Terry |
| Bridges | Gibbs | Nowlan | Thilemann |
| Brodsky | Gorsline | O'Brien | Titus |
| Bullock | Gray | O'Connor | Tormey |
| Carpenter, I. S. | Griggs | Phillips | Travis |
| Chickering | Grosse | Pitcher | Treanor |
| Childs | Gwinup | Potter | Tuthill, H. H. |
| Clancy | Hayes | Potts | Tuttle, R. M. |
| Clowes | Hoffman | Roberts | Varnum |
| Congdon | Howland | Root | Waterbury |
| Cookinham | Hurd | Russell | Wells, D. A. |
| Costello | Husted | Sanders | Wells, J. L. |
| Cullinan | Ingersoll | Seeley | Weston |
| Curtis | Lelever | Shanley | Wiley |
| Cushing | Liddle | Sheridan | Wren |
| Davis | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the bill entitled "An act to amend chapter 140 of the Laws of 1850, entitled 'An act to authorize the formation of railroad corporations, and to regulate the same,'" with a message that they had passed the same, with the following amendments:

Section 1. Paragraph 6 of section 28 of chapter 140 of the Laws of 1850, entitled "An act to authorize the formation of railroad corporations and to regulate the same," is hereby amended so as to read as follows:

6. To cross, intersect, join and unite its railroad with any other railroad before constructed, at any point on its route and upon the ground of such other railroad company with the necessary turn-outs, sidings and switches and other conveniences in furtherance of the objects of its connection. And every company whose railroad is or shall be hereafter intersected by any new railroad shall unite with the owners of such new railroad in forming such intersections and connections and grant the facilities aforesaid; and if the two corporations cannot agree upon the amount of compensation to be made therefor, or the line or lines, the grade or grades, points and manner of such crossing and connections, the same shall be ascertained and determined by commissioners—one of whom must be a practical civil engineer—to be appointed by the court, as is provided in this act in respect to acquiring title to real estate; and said commissioners shall have full power to determine whether the crossing or crossings of any railroad before constructed shall be beneath, at or above the existing grade of any such railroad, and upon the route designated on the map of the company seeking the crossing required to be filed by section 22 of this act, or otherwise. And all companies whose railroads are or shall hereafter be crossed, intersected or joined as aforesaid, shall receive from each other and forward to their destination all goods, merchandise and other property intended for points on their respective roads with the same dispatch and at a rate of freight not exceeding the local tariff rate charged for similar goods, merchandise and other property received at and forwarded from the same point for individuals and other corporations.

§ 2. Nothing in this act contained shall apply to any surface railroad in the city of New York.

§ 3. This act shall take effect immediately.

Mr. Gillette moved to concur in the amendments, with the further following amendments:

Amend 2d section by adding the words "nor any railroad the route of which is already located."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. C. S. Baker moved to amend as follows:

Add as section 3 the following:

§ 3. Nothing in this act shall be construed to affect or impair the intent of the act passed in 1880 for the relief of the city of Rochester and the New York Central and Hudson River Railroad Company.

Make section 3 section 4.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative.

{ AYES . 67 }
{ NOES 24 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|-----------------|
| Alvord | Crapser | Husted | Roberts |
| Baker, B. F. | Curtis | Ingersoll | Root |
| Beach | Davis | Kennedy | Russell |
| Beates | Deane | Lefever | Sanders |
| Benedict, T. E. | Dougherty | Liddle | Sisson |
| Bennett | Duell | Low | Tallmadge |
| Brennan | Duguid | McDonald | Terry |
| Bridges | Ellis | Miller | Thilemann |
| Brodsky | Evans | Mitchell | Titus |
| Bullock | Ferris | Nowlan | Tozier |
| Carpenter, I. S. | Fish | O'Connor | Travis |
| Case | Fitzgerald | Parker | Treanor |
| Chase | Gorsline | Peck | Tuthill, H. H. |
| Chickering | Gray | Phillips | Tuttle, R. M. |
| Clark | Gwinup | Pitcher | Van Valkenburgh |
| Clowes | Havens | Potts | Wiley |
| Comstock | Hoffman | Rhodes | |

Those who voted in the negative, were

| | | | |
|------------------|----------|----------|--------------|
| Baker, C. S. | Costello | McCabe | Sipp |
| Bradley | Cushing | McTernan | Slingerland |
| Carpenter, E. A. | Gillette | Morgan | Varnum |
| Clancy | Hagan | Seeley | Waterbury |
| Cohen | Howland | Shanley | Wells, J. L. |
| Congdon | McAvoy | Shuit | Weston |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act relating to certain assessments for local improvements in the city of New York," with a message that they have concurred in the passage of the same with amendments.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative.

{ AYES 86 }
{ NOES 2 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Curtis | Kennedy | Seeley |
| Baker, C. S. | Cushing | Lefever | Sherman |
| Beach | Davis | Liddle | Shuit |
| Beates | Deane | Lindsay | Sipp |
| Bennett | Dougherty | Low | Sisson |
| Bradley | Duell | McAvoy | Steele |
| Brennan | Duguid | McCarthy | Strait |
| Bridges | Evans | McDonald | Tallmadge |
| Brodsky | Ferris | McTernan | Terpeny |
| Bullock | Fish | Miller | Terry |
| Carpenter, E. A. | Fitzgerald | Moers | Thilemann |
| Case | Gibbs | Morgan | Titus |
| Catlin | Gillette | Newman | Tozier |
| Chamberlain | Gray | Nowlan | Travis |
| Chickering | Grosse | Parker | Treanor |
| Childs | Gwinup | Phillips | Tuthill, H. H. |
| Cohen | Hayes | Pitcher | Tuttle, R. M. |
| Comstock | Hoffman | Potts | Varnum |

Congdon
Cookinham
Costello
Cullinan

Howland
Hurd
Husted
Ingersoll

Roberts
Russell
Sanders

Waterbury
Weston
Wren

Those who voted in the negative, were

Ellis O'Connor

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

Senate bill entitled "An act to amend chapter 163 of the Laws of 1870, entitled 'An act to amend the act entitled 'An act to authorize the business of banking, passed April 18, 1838,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Deane | Lefever | Shuit |
| Andrews | Dougherty | Liddle | Sipp |
| Baker, C. S. | Douglass | Lindsay | Sisson |
| Beach | Duell | Low | Steele |
| Beates | Duguid | McAvoy | Strait |
| Bradley | Evans | McCabe | Tallmadge |
| Brennan | Ferris | Miller | Terpeny |
| Bridges | Fish | Mooers | Terry |
| Brodsky | Fitzgerald | Morgan | Titus |
| Bullock | Gibbs | Newman | Tozier |
| Carpenter, I. S. | Gorsline | Nowlan | Travis |
| Chamberlain | Gray | Peck | Treanor |
| Chickering | Griggs | Phillips | Tuthill, H. H. |
| Childs | Gwinup | Pitcher | Tuttle, R. M. |
| Cohen | Hayes | Potts | Van Valkenburgh |
| Comstock | Hoffman | Roberts | Varnum |
| Congdon | Howland | Root | Waterbury |
| Cookinham | Hurd | Russell | Wells, D. A. |
| Costello | Husted | Sanders | Wells, J. L. |
| Cushing | Ingersoll | Seeley | Weston |
| Davis | Kennedy | Shanley | Wren |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act relating to the title to personal property," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }
{ NOES 9 }

Those who voted in the affirmative, were

| | | | |
|---------|-------|---------|---------|
| Alvord | Davis | Kennedy | Seeley |
| Andrews | Deane | Lefever | Shanley |

| | | | |
|------------------|------------|----------|----------------|
| Baker, B. F. | Duguid | Liddle | Sheridan |
| Baker, O. S. | Ellis | Lindsay | Shuit |
| Beach | Evans | Low | Sipp |
| Beates | Ferris | McAvoy | Sisson |
| Bennett | Fish | McCabe | Skinner |
| Bradley | Fitzgerald | McDonald | Slingerland |
| Brennan | Gibbs | Miller | Tallmadge |
| Brodsky | Gillette | Mooers | Terry |
| Bullock | Gray | Morgan | Thilemann |
| Carpenter, I. S. | Grosse | Newman | Titus |
| Chamberlain | Gwinup | Nowlan | Tozier |
| Chickering | Havens | O'Brien | Treanor |
| Childs | Hayes | Peck | Tuthill, H. H. |
| Cookinham | Hoffman | Pitcher | Waterbury |
| Costello | Howland | Roberts | Wells, D. A. |
| Cullinan | Hurd | Root | Wells, J. L. |
| Curtis | Husted | Russell | Weston |
| Cushing | Ingersoll | Sanders | Wren |

Those who voted in the negative, were

| | | | |
|----------|----------|--------|---------------|
| Bridges | Phillips | Rhodes | Tuttle, R. M. |
| Douglass | Potts | Travis | Varnum |
| Mitchell | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Rhodes moved to reconsider the vote by which said bill was passed and that the motion do lie upon the table.

Mr. Speaker put the question whether the House would agree to lay said motion to reconsider on the table, and it was determined in the negative.

Mr. Rhodes withdrew the motion to reconsider.

Senate bill entitled "An act to organize a night medical service in the city of New York, and to provide medical assistance in cases of sudden sickness or accident during the night time," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }
{ NOES 8 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|-------------|
| Alvord | Comstock | Gwinup | Roberts |
| Andrews | Congdon | Hagan | Root |
| Baker, B. F. | Cookinham | Havens | Russell |
| Baker, O. S. | Costello | Hayes | Shanley |
| Beach | Curtis | Hoffman | Shuit |
| Beates | Cushing | Howland | Sipp |
| Benedict, E. D. | Davis | Husted | Sisson |
| Bennett | Deane | Ingersoll | Skinner |
| Brennan | Duell | Kennedy | Slingerland |
| Bridges | Duguid | Lefever | Steele |
| Brodsky | Ellis | Liddle | Tallmadge |
| Bullock | Evans | Low | Terpeny |
| Carpenter, E. A. | Ferris | McCabe | Terry |
| Carpenter, I. S. | Fish | Miller | Torney |
| Chase | Fitzgerald | Morgan | Travis |

| | | | |
|--------|----------|----------|-----------------|
| Catlin | Gibbs | Newman | Van Valkenburgh |
| Chase | Gillette | Nowlan | Waterbury |
| Childs | Gorsline | Peck | Wells, D. A. |
| Clancy | Gray | Phillips | Wells, J. L. |
| Clark | Griggs | Rhodes | Weston |
| Clowes | Grosse | | |

Those who voted in the negative, were

| | | | |
|----------|----------|-----------|---------|
| Cohen | Mitchell | Potts | Treanor |
| Grapsier | O'Connor | Thilemann | Varnum |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act for prevention of accident to children," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 77 }
{ NOES 25 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|--------------|
| Alvord | Ferris | McTernan | Sisson |
| Andrews | Gillette | Mead | Skinner |
| Baker, B. F. | Gorsline | Morgan | Steele |
| Baker, C. S. | Gray | Newman | Strait |
| Beach | Griggs | Nowlan | Tallmadge |
| Beates | Gwinup | O'Brien | Terry |
| Benedict, E. D. | Hagan | Peck | Thilemann |
| Bridges | Havens | Phillips | Titus |
| Brodsky | Hayes | Pitcher | Tormey |
| Bullock | Howland | Potter | Travis |
| Carpenter, E. A. | Hurd | Rhodes | Treanor |
| Carpenter, I. S. | Husted | Roberts | Varnum |
| Cass | Ingersoll | Root | Waterbury |
| Chamberlain | Liddle | Russell | Wells, D. A. |
| Chickering | Lindsay | Sanders | Wells, J. L. |
| Clancy | Low | Shanley | Weston |
| Clark | McAvoy | Sheridan | Wiley |
| Cookinham | McCarthy | Sherman | Wren |
| Davis | McDonald | Shuit | Youngs |
| Duguid | | | |

Those who voted in the negative, were

| | | | |
|----------|------------|----------|----------------|
| Bradley | Deane | Lefever | Sipp |
| Brennan | Ellis | Miller | Shingerland |
| Childs | Evans | Mitchell | Terpeny |
| Cohen | Fish | O'Connor | Tozier |
| Congdon | Fitzgerald | Potts | Tuthill, H. H. |
| Costello | Grosse | Seeley | Tuttle, R. M. |
| Crapsier | | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act for the relief of Mary A. Vandewater, administratrix of Henry Vandewater, deceased," being announced for a third reading.

Mr. Mitchell moved to recommit said bill to the committee on cities, with instructions to strike out the enacting clause.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 69 }
{ NOES 34 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Cullinan | Lefever | Shanley |
| Andrews | Dougherty | McAvoy | Sheridan |
| Baker, B. F. | Duguid | McTernan | Sherman |
| Baker, C. S. | Ferris | Miller | Shuit |
| Beach | Fish | Mooers | Slingerland |
| Beates | Fitzgerald | Morgan | Steele |
| Benedict, E. D. | Gibbs | Newman | Strait |
| Bennett | Gray | Nowlan | Tallmadge |
| Brodsky | Griggs | O'Brien | Titus |
| Bullock | Gwinup | Phillips | Tormey |
| Carpenter, E. A. | Hagan | Potter | Tuthill, H. H. |
| Carpenter, I. S. | Havens | Potts | Tuttle, R. M. |
| Chamberlain | Hayes | Rhodes | Waterbury |
| Chase | Hoffman | Roberts | Wells, D. A. |
| Childs | Hurd | Root | Weston |
| Clancy | Ingersoll | Sanders | Wren |
| Comstock | Kennedy | Seeley | Youngs |
| Costello | | | |

Those who voted in the negative, were

| | | | |
|-----------------|----------|----------|--------------|
| Benedict, T. E. | Crapser | Howland | Parker |
| Bradley | Curtis | Liddle | Peck |
| Brennan | Cushing | Lindsay | Skinner |
| Bridges | Davis | Low | Terpeny |
| Case | Deane | McCabe | Varnum |
| Chickering | Douglass | McDonald | Warner |
| Clark | Ellis | Mitchell | Wells, J. L. |
| Congdon | Gillette | O'Connor | Wiley |
| Cookinham | Grosse | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend chapter 332 of the Laws of 1875, entitled 'An act to amend chapter 610 of the Laws of 1874, entitled 'An act to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes in the several towns of the county of Westchester,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|---------------|
| Alvord | Cushing | Lefever | Sheridan |
| Andrews | Davis | Lindsay | Sherman |
| Baker, B. F. | Deane | Low | Shuit |
| Baker, C. S. | Dougherty | McAvoy | Sisson |
| Beach | Douglass | McDonald | Skinner |
| Beates | Duell | Miller | Slingerland |
| Benedict, E. D. | Duguid | Mooers | Strait |
| Bradley | Ellis | Morgan | Tallmadge |
| Brennan | Evans | Newman | Terpeny |
| Brodsky | Ferris | Nowlan | Terry |
| Bullock | Fish | O'Brien | Thilemann |
| Carpenter, E. A. | Fiske | O'Connor | Titus |
| Carpenter, I. S. | Fitzgerald | Peck | Tormey |
| Case | Gibbs | Potter | Tozier |
| Chase | Gray | Potts | Travis |
| Clark | Gwinup | Rhodes | Treanor |
| Cohen | Havens | Roberts | Tuttle, R. M. |
| Comstock | Hayes | Root | Varnum |
| Cookinham | Hoffman | Russell | Waterbury |
| Costello | Howland | Sanders | Wells, D. A. |
| Crapsier | Husted | Seeley | Wells, J. L. |
| Cullinan | Ingersoll | Shanley | Weston |
| Curtis | Kennedy | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to regulate the leasing of real estate by the mayor, aldermen and commonalty of the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }
{ NOES 2 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|---------------|
| Alvord | Comstock | Hurd | Sanders |
| Andrews | Costello | Ingersoll | Seeley |
| Baker, B. F. | Crapsier | Kennedy | Sheridan |
| Baker, C. S. | Cullinan | Lefever | Sherman |
| Beach | Curtis | Lindsay | Shuit |
| Beates | Davis | McDonald | Skinner |
| Benedict, E. D. | Deane | McTernan | Slingerland |
| Bradley | Douglass | Miller | Strait |
| Brennan | Duell | Mooers | Tallmadge |
| Bridges | Evans | Morgan | Thilemann |
| Brodsky | Ferris | Newman | Titus |
| Bullock | Fish | Nowlan | Tormey |
| Carpenter, E. A. | Fiske | O'Brien | Tozier |
| Carpenter, I. S. | Fitzgerald | Parker | Treanor |
| Case | Gibbs | Phillips | Tuttle, R. M. |
| Catlin | Gillette | Pitcher | Varnum |
| Chickering | Gray | Potts | Waterbury |
| Childs | Griggs | Rhodes | Wells, D. A. |

Clark
Clowes
Cohen

Hayes
Hoffman
Howland

Roberts
Root
Russell

Wells, J. L.
Weston

Those who voted in the negative, were
Ellis Havens

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to amend chapter 448 of the Laws of 1876, entitled 'An act relating to courts, officers of justice, and civil proceedings,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord
Andrews
Baker, B. F.
Baker, C. S.
Beach
Beates
Benedict, E. D.
Benedict, T. E.
Bradley
Bridges
Brodsky
Bullock
Carpenter, E. A.
Carpenter, I. S.
Catlin
Chase
Chickering
Clark
Cohen
Comstock
Costello
Cullinan

Curtis
Cushing
Davis
Deane
Dougherty
Douglass
Duell
Duguid
Ellis
Evans
Ferris
Fish
Gibbs
Gillette
Gorsline
Gray
Griggs
Gwinup
Havens
Hayes
Hoffman
Howland

Hurd
Husted
Ingersoll
Lefever
Liddle
Lindsay
Low
McCabe
McDonald
Miller
Moore
Morgan
Newman
Nowlan
O'Brien
O'Connor
Pitcher
Potts
Rhodes
Roberts
Root
Russell

Sanders
Seeley
Sheridan
Sherman
Shuit
Skinner
Slingerland
Steele
Tallmadge
Terpeny
Terry
Thilemann
Tormey
Tozier
Travis
Treanor
Tuthill, H. H.
Tuttle, R. M.
Varnum
Waterbury
Wells, D. A.
Weston

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to amend chapter 176 of the Laws of 1876, entitled 'An act in relation to writs of error in behalf of the people in criminal cases,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 74 }
{ NOES 3 }

Those who voted in the affirmative, were

Alvord
Andrews

Davis
Deane

Ingersoll
Kennedy

Peck
Pitcher

| | | | |
|------------------|------------|----------|---------------|
| Baker, B. F. | Dougherty | Lefever | Potter |
| Baker, C. S. | Douglass | Liddle | Potts |
| Beates | Ellis | Lindsay | Roberts |
| Benedict, E. D. | Evans | Low | Root |
| Bradley | Ferris | McAvoy | Shuit |
| Brennan | Fish | McCarthy | Skinner |
| Bridges | Fiske | McDonald | Tallmadge |
| Bullock | Fitzgerald | McTernan | Terry |
| Carpenter, E. A. | Gibbs | Miller | Thilemann |
| Catlin | Gillette | Mooers | Tormey |
| Clowes | Gorsline | Morgan | Treanor |
| Comstock | Gray | Newman | Tuttle, R. M. |
| Costello | Gwinup | Nowlan | Waterbury |
| Crapeer | Hoffman | O'Brien | Wells, D. A. |
| Cullinan | Howland | O'Connor | Wren |
| Curtis | Hurd | Parker | Youngs |
| Cushing | Husted | | |

Those who voted in the negative, were

Benedict, T. E. Rhodes Varnum

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend section 376 of the Code of Civil Procedure," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }
{ NOES 2 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|---------------|
| Alvord | Cookinham | Howland | Sheridan |
| Andrews | Costello | Hurd | Sherman |
| Baker, B. F. | Cullinan | Ingersoll | Shuit |
| Baker, C. S. | Curtis | Kennedy | Sisson |
| Beates | Cushing | Lefever | Skinner |
| Benedict, E. D. | Davis | Liddle | Slingerland |
| Bradley | Deane | Lindsay | Steele |
| Brennan | Duguid | Low | Strait |
| Bridges | Ellis | McCarthy | Tallmadge |
| Brodsky | Evans | McDonald | Terry |
| Bullock | Ferris | Miller | Thilemann |
| Carpenter, E. A. | Fish | Mooers | Tormey |
| Carpenter, I. S. | Fiske | Newman | Tozier |
| Catlin | Gibbs | Nowlan | Travis |
| Chamberlain | Gillette | O'Brien | Tuttle, R. M. |
| Chase | Gorsline | Parker | Warner |
| Chickering | Gray | Potts | Waterbury |
| Clark | Griggs | Rhodes | Wells, D. A. |
| Clowes | Gwinup | Roberts | Wells, J. L. |
| Cohen | Havens | Root | Weston |
| Comstock | Hayes | Seeley | Youngs |
| Congdon | Hoffman | Shanley | |

Those who voted in the negative, were

Dougherty O'Connor

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act further to amend chapter 417 of the Laws of 1862, entitled 'An act to alter the term for which criminals may be sentenced to State prison, and to provide for their earning a commutation of sentence, and an increase of the amount to be paid them on their discharge,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }
{ NOES 2 }

Those who voted in the affirmative, were

| | | | |
|-----------------|------------|-----------|--------------|
| Alvord | Cushing | Howland | Russell |
| Andrews | Davis | Hurd | Sheridan |
| Baker, B. F. | Dougherty | Ingersoll | Sherman |
| Baker, O. S. | Douglass | Kennedy | Shuit |
| Beates | Duell | Lefever | Sisson |
| Benedict, E. D. | Duguid | Liddle | Skinner |
| Bradley | Ellis | Lindsay | Slingerland |
| Brennan | Evans | Low | Steele |
| Bridges | Ferris | McCabe | Strait |
| Brodsky | Fish | McDonald | Tallmadge |
| Catlin | Fiske | Miller | Terpeny |
| Chamberlain | Fitzgerald | Morgan | Terry |
| Chase | Gibbs | Newman | Tormey |
| Chickering | Goraline | Nowlan | Tozier |
| Clark | Gray | O'Brien | Travis |
| Cohen | Griggs | O'Connor | Varnum |
| Coomstock | Grosse | Peck | Warner |
| Cookinham | Gwinup | Phillips | Waterbury |
| Costello | Hagan | Rhodes | Wells, D. A. |
| Cullinan | Havens | Roberts | Wells, J. L. |
| Curtis | Hoffman | Root | Weston |

Those who voted in the negative, were

Potts Tuttle, R. M.

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Steele offered for the consideration of the House a resolution in the words following:

Resolved, That the special committee on taxation be discharged from the further consideration of Senate bill No. 268, entitled "An act to provide for the taxation of banks and of moneyed capital engaged in the business of banking, receiving deposits, or otherwise," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Senate bill entitled "An act to amend chapter 570 of the Laws of 1872, entitled 'An act to ascertain by proper proofs the citizens who shall be entitled to the rights of suffrage in the State of New York,

except in the city and county of New York and the city of Brooklyn, and to repeal chapter 572 of the Laws of 1871, entitled 'An act to amend an act entitled 'An act in relation to elections in the city and county of New York,''' was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 66 }
{ NOES 14 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|---------|---------------|
| Alvord | Comstock | Husted | Russell |
| Andrews | Cookinham | Lefever | Sanders |
| Baker, B. F. | Cullinan | Lindsay | Seeley |
| Baker, C. S. | Curtis | Low | Shuit |
| Beates | Cushing | McAvoy | Sipp |
| Benedict, T. E. | Davis | Miller | Sisson |
| Bradley | Duell | Mooers | Slingerland |
| Brennan | Duguid | Morgan | Steele |
| Bridges | Evans | Nowlan | Terry |
| Brodsky | Ferris | O'Brien | Tuttle, R. M. |
| Bullock | Fish | Peck | Varnum |
| Carpenter, E. A. | Fiske | Pitcher | Waterbury |
| Carpenter, I. S. | Gray | Potter | Wells, D. A. |
| Chamberlain | Grosse | Potts | Wells, J. L. |
| Chase | Hayes | Roberts | Weston |
| Chickering | Howland | Root | Wren |
| Clark | Hurd | | |

Those who voted in the negative, were

| | | | |
|--------|-----------|-----------|----------------|
| Case | Dougherty | Shanley | Tormey |
| Oatlin | Hagan | Skinner | Tozier |
| Clancy | Newman | Thilemann | Tuthill, H. H. |
| Cohen | Rhodes | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Terry, from the committee on the judiciary, to which was referred the Senate bill (introductory No. 364), entitled "An act to amend and provide for the printing and publication of an act entitled 'An act supplemental to the Code of Civil Procedure, and to amend certain provisions of the Revised Statutes applicable thereto,'" reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Terry, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 76 }
{ NOES 3 }

Those who voted in the affirmative, were

| | | | |
|--------------|------------|----------|--------|
| Baker, C. S. | Fish | McDonald | Sipp |
| Beach | Fitzgerald | Mead | Sisson |

| | | | |
|-----------------|----------|----------|-----------------|
| Benedict, E. D. | Gorsline | Miller | Skinner |
| Bradley | Gray | Mooers | Slingerland |
| Brennan | Griggs | Nowlan | Tallmadge |
| Bridges | Grosse | Peck | Terry |
| Bullock | Gwinup | Phillips | Thilemann |
| Chickering | Havens | Pitcher | Tormey |
| Clark | Hayes | Potter | Tozier |
| Comstock | Hoffman | Potts | Travis |
| Congdon | Howland | Rhodes | Treanor |
| Cookinham | Hurd | Roberts | Tuthill, H. H. |
| Curtis | Husted | Root | Tuttle, R. M. |
| Davis | Kennedy | Russell | Van Valkenburgh |
| Dougherty | Lefever | Sanders | Warner |
| Douglass | Liddle | Seeley | Waterbury |
| Duguid | Lindsay | Sheridan | Wells, D. A. |
| Evans | Low | Sherman | Weston |
| Ferrie | McCarthy | Shuit | Wren |

Those who voted in the negative, were

Alvord Carpenter, E. A. Cohen

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Alvord moved to lay all order of business on the table for the purpose of taking up order of business report of the committee of the judiciary.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

Senate bill entitled "An act conferring additional powers on the board of education of union free school district No. 1, of the town of Deerpark, Orange county, and school district No. 4, of the town of Johnstown, Fulton county, and granting additional privileges to said districts," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Duell | McCabe | Sherman |
| Baker, C. S. | Duguid | McCarthy | Shuit |
| Beach | Ellis | McDonald | Sipp |
| Beates | Ferrie | McTernan | Sisson |
| Benedict, E. D. | Fish | Mead | Skinner |
| Bradley | Fitzgerald | Miller | Slingerland |
| Brennan | Gibbs | Mooers | Tallmadge |
| Bridges | Gillette | Morgan | Terry |
| Bullock | Gray | Newman | Titus |
| Carpenter, E. A. | Grosse | Nowlan | Tormey |
| Chase | Hagan | O'Brien | Travis |
| Chickering | Hayes | Peck | Treanor |
| Clancy | Hoffman | Phillips | Tuthill, H. H. |
| Clark | Howland | Pitcher | Tuttle, R. M. |
| Cohen | Hurd | Potter | Van Valkenburgh |
| Comstock | Husted | Potts | Varnum |

| | | | |
|-----------|---------|----------|--------------|
| Oongdon | Kennedy | Roberts | Warner |
| Curtis | Lefever | Root | Waterbury |
| Cushing | Liddle | Russell | Wells, D. A. |
| Davis | Lindsay | Sanders | Wells, J. L. |
| Deane | Low | Seeley | Weston |
| Dougherty | McAvoy | Sheridan | Youngs |
| Douglass | | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend chapter 140 of the Laws of 1850, entitled 'An act to authorize the formation of railroad corporations, and to regulate the same,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 3 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Dougherty | Low | Shuit |
| Baker, C. S. | Douglass | McAvoy | Sipp |
| Beach | Duell | McCabe | Sisson |
| Beates | Duguid | McCarthy | Steele |
| Benedict, E. D. | Evans | McDonald | Tallmadge |
| Bennett | Ferris | McTernan | Terry |
| Brennan | Fish | Miller | Thilemann |
| Bridges | Fitzgerald | Mooers | Tormey |
| Brodaky | Gillette | Morgan | Tozier |
| Bullock | Goralline | Newman | Travis |
| Carpenter, E. A. | Gray | Nowlan | Treanor |
| Chase | Grosse | Phillips | Tully |
| Chickering | Hagan | Pitcher | Tuthill, H. H. |
| Childs | Hayes | Potter | Tuttle, R. M. |
| Clark | Hoffman | Potts | Van Valkenburgh |
| Comstock | Howland | Roberts | Varnum |
| Congdon | Hurd | Root | Waterbury |
| Cookinham | Husted | Russell | Wells, D. A. |
| Curtis | Kennedy | Sanders | Wells, J. L. |
| Cushing | Lefever | Seeley | Weston |
| Davis | Liddle | Sheridan | Wren |
| Deane | Lindsay | Sherman | Youngs |

Those who voted in the negative, were

| | | |
|---------|--------|---------|
| Crapeer | Gwinup | Skinner |
|---------|--------|---------|

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned Senate bill entitled "An act to amend chapter 163 of the Laws of 1870, entitled 'An act to amend the act entitled 'An act to authorize the business of banking,' passed April 18, 1838,'" with a message that they do non-concur with the amendments made therein in the Assembly, and request a committee of conference, and have appointed Messrs. McCarthy, Wendover and Stevens as such committee on its part.

Mr. Speaker put the question whether the House would concur in said request for a conference committee, and it was determined in the affirmative.

Mr. Speaker appointed as such conference committee, Messrs. Van Valkenburgh, Ingersoll, Tuthill, Ellis and Rhodes.

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have appointed a conference committee thereon.

By unanimous consent,

Mr. Speaker offered for the consideration of the House a resolution in the words following :

Resolved, That a respectful message be sent to the Senate requesting the return of Assembly bill No. 364, entitled "An act granting the consent of the State of New York to the purchase by the United States of certain lands, pond and rights for the purpose of increasing the water supply of West Point, New York, and ceding jurisdiction over said lands and pond," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate.

Senate bill entitled "An act to legalize certain proceedings of the common council of the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 8 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Deane | Lindsay | Sisson |
| Baker, C. S. | Dougherty | McAvoy | Slingerland |
| Beach | Douglass | McCabe | Strait |
| Beates | Duell | McCarthy | Tallmadge |
| Benedict, T. E. | Duguid | McDonald | Terpeny |
| Bennett | Evans | McTernan | Terry |
| Bradley | Ferris | Mooers | Thilemann |
| Brennan | Fitzgerald | Morgan | Torney |
| Bridges | Gibbs | Newman | Tozier |
| Brodsky | Gillette | Nowlan | Travis |
| Bullock | Gorsline | O'Connor | Treanor |
| Carpenter, I. S. | Gray | Phillips | Tuthill, H. H. |
| Chase | Hagan | Potts | Tuttle, R. M. |
| Chickering | Hayes | Roberts | Van Valkenburgh |
| Childs | Hoffman | Sanders | Varnum |
| Clark | Howland | Seeley | Warner |
| Cohen | Hurd | Shanley | Waterbury |
| Comstock | Husted | Sheridan | Wells, D. A. |
| Congdon | Kennedy | Shuit | Wells, J. L. |
| Curtis | Lefever | Sipp | Weston |
| Cushing | | | |

Those who voted in the negative, were

| | | | |
|---------|--------|--------|---------|
| Crapeer | Havens | Mead | Parker |
| Davis | Low | Miller | Skinner |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend chapter 444 of the Laws of

1876, entitled 'An act to establish a State Board of Audit and to define its powers and duties,' was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }
{ NOES 5 }

Those who voted in the affirmative, were

| | | | |
|-----------------|------------|----------|-----------------|
| Alvord | Dougherty | Lefever | Seeley |
| Baker, C. S. | Douglass | Lindsay | Sheridan |
| Beach | Duguid | Low | Shuit |
| Beates | Evans | McAvoy | Sipp |
| Benedict, E. D. | Ferris | McCabe | Skinner |
| Bennett | Fish | McCarthy | Slingerland |
| Bradley | Fitzgerald | McDonald | Tallmadge |
| Brennan | Gillette | McTernan | Terpeny |
| Bridges | Gorsline | Mead | Terry |
| Broday | Gray | Miller | Thilemann |
| Bullock | Griggs | Mooers | Tormey |
| Case | Gwinup | Morgan | Tozier |
| Chamberlain | Hagan | Nowlan | Travis |
| Chickering | Havens | Parker | Treanor |
| Childs | Hayes | Phillips | Tuthill, H. H. |
| Clancy | Hoffman | Pitcher | Tuttle, R. M. |
| Clark | Howland | Potter | Van Valkenburgh |
| Congdon | Hurd | Potts | Warner |
| Cookinham | Husted | Roberts | Waterbury |
| Curtis | Ingersoll | Russell | Wells, D. A. |
| Cushing | Kennedy | Sanders | Wren |
| Deane | | | |

Those who voted in the negative, were

| | | | |
|-----------------|----------|-------|--------|
| Benedict, T. E. | Crapsier | Davis | Newman |
| Cohen | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act providing for the appointment of an additional number of commissioners of deeds in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 80 }
{ NOES 27 }

Those who voted in the affirmative, were

| | | | |
|-----------------|------------|----------|-------------|
| Alvord | Duguid | McAvoy | Shuit |
| Baker, C. S. | Ferris | McCabe | Sipp |
| Beach | Fish | McCarthy | Sisson |
| Beates | Fitzgerald | McDonald | Skinner |
| Benedict, E. D. | Gibbs | Miller | Slingerland |
| Bennett | Gillette | Mooers | Tallmadge |
| Brennan | Gorsline | Morgan | Terpeny |
| Bridges | Gray | Newman | Terry |
| Case | Gwinup | Nowlan | Tormey |

| | | | |
|------------|-----------|----------|-----------------|
| Chase | Hagan | O'Connor | Tozier |
| Chickering | Hayes | Parker | Travis |
| Childs | Hoffman | Phillips | Treanor |
| Clark | Howland | Pitcher | Tuthill, H. H. |
| Cohen | Hurd | Potter | Van Valkenburgh |
| Congdon | Husted | Potts | Varnum |
| Cushing | Ingersoll | Roberts | Warner |
| Davis | Kennedy | Root | Waterbury |
| Deane | Lefever | Russell | Wells, D. A. |
| Dougherty | Liddle | Seeley | Weston |
| Duell | Lindsay | Sheridan | Wren |

Those who voted in the negative, were

| | | | |
|-----------------|-----------|---------------|--------------|
| Benedict, T. E. | Cookinham | Low | Wells, J. L. |
| Bradley | Curtis | Tuttle, R. M. | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act authorizing the appointment of special policemen for Long Beach in the town of Hempstead, Queens county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths of said members being present.

{ AYES 47 }
{ NOES 47 }

Those who voted in the affirmative, were

| | | | |
|-----------------|------------|----------|-----------|
| Baker, B. F. | Cushing | Hoffman | Sanders |
| Baker, O. S. | Dougherty | Howland | Seeley |
| Beach | Ellis | Lindsay | Shanley |
| Beates | Evans | McAvoy | Sheridan |
| Benedict, T. E. | Fitzgerald | McCarthy | Tallmadge |
| Bennett | Gibbs | McTernan | Thilemann |
| Bullock | Gorsline | Morgan | Titus |
| Chase | Grosse | Newman | Tormey |
| Clancy | Gwinup | O'Connor | Tozier |
| Clark | Hagan | Parker | Treanor |
| Cohen | Havens | Rhodes | Wiley |
| Congdon | Hayes | Russell | |

Those who voted in the negative, were

| | | | |
|-----------------|----------|----------|----------------|
| Alvord | Deane | McCabe | Shuit |
| Benedict, E. D. | Douglass | Mead | Sipp |
| Bradley | Duell | Miller | Sisson |
| Brennan | Duguid | Moers | Skinner |
| Bridges | Ferris | Nowlan | Travis |
| Brodsky | Fish | Peck | Tuthill, H. H. |
| Chickering | Gillette | Phillips | Tuttle, R. M. |
| Childs | Gray | Pitcher | Varnum |
| Cookinham | Hurd | Potter | Warner |
| Crapser | Kennedy | Potts | Waterbury |
| Curtis | Liddle | Roberts | Wells, J. L. |
| Davis | Low | Root | |

Mr. Shanley moved to reconsider the vote by which said bill was lost, and that the motion do lay upon the table.

Mr. Speaker put the question whether the House would agree to lay said motion to reconsider on the table, and it was determined in the affirmative.

Senate bill entitled "An act to amend chapter 559 of the Laws of 1874, entitled 'An act to incorporate the Niagara Grand Island Bridge Company,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 77 }
{ NOES 7 }

Those who voted in the affirmative, were

| | | | |
|-----------------|------------|----------|----------------|
| Alvord | Fitzgerald | Miller | Sipp |
| Beach | Gillette | Moors | Sisson |
| Beates | Gorsline | Morgan | Skinner |
| Benedict, E. D. | Gray | Newman | Slingerland |
| Bennett | Grosse | Nowlan | Tallmadge |
| Bradley | Hayes | O'Brien | Thilemann |
| Bridges | Hoffman | Phillips | Titus |
| Brodsky | Howland | Pitcher | Tormey |
| Bullock | Hurd | Potter | Tozier |
| Chase | Husted | Potts | Travis |
| Chickering | Ingersoll | Roberts | Treanor |
| Clark | Kennedy | Root | Tully |
| Congdon | Lefever | Russell | Tuthill, H. H. |
| Cookinham | Liddle | Sanders | Tuttle, R. M. |
| Cushing | Lindsay | Seeley | Warner |
| Davis | Low | Shanley | Waterbury |
| Deane | McAvoy | Sheridan | Wells, D. A. |
| Duell | McCabe | Sherman | Weston |
| Duguid | McCarthy | Shuit | Wren |
| Fish | | | |

Those who voted in the negative, were

| | | | |
|-----------------|--------|--------|--------------|
| Benedict, T. E. | Ellis | Havens | Wells, J. L. |
| Crapser | Gwinup | Parker | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act relative to the pay of policemen and firemen in the city of New York injured or disabled while in actual discharge of their duties," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|---------|-------------|
| Alvord | Cushing | Hurd | Seeley |
| Baker, B. F. | Davis | Husted | Sheridan |
| Baker, C. S. | Deane | Kennedy | Sherman |
| Beach | Dougherty | Lindsay | Shuit |
| Beates | Duell | Low | Sisson |
| Benedict, E. D. | Duguid | McAvoy | Skinner |
| Benedict, T. E. | Ellis | McCabe | Slingerland |
| Bennett | Ferris | Miller | Tallmadge |
| Bradley | Fish | Moors | Thilemann |

| | | | |
|-------------|------------|----------|----------------|
| Brennan | Fiske | Morgan | Titus |
| Bridges | Fitzgerald | Newman | Tozier |
| Brodsky | Gibbs | Nowlan | Travis |
| Bullock | Gillette | O'Brien | Treanor |
| Cass | Gorsline | Parker | Tuthill, H. H. |
| Chamberlain | Gray | Phillips | Varnum |
| Chase | Griggs | Pitcher | Warner |
| Chickering | Grosse | Potter | Waterbury |
| Clark | Gwinup | Potts | Wells, D. A. |
| Cohen | Hagan | Roberts | Wells, J. L. |
| Congdon | Hayes | Root | Weston |
| Cookinham | Hoffman | Russell | Wren |
| Curtis | Howland | Sanders | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned Assembly bill entitled "An act to protect Central park in the city of New York and the streets bordering upon the same from encroachment by elevated railroads," with a message that they do assent to a committee of conference, and have appointed as such committee on its part Messrs. Strahan, Eidman and Hogan.

Ordered, That the Clerk return said bill to the Senate.

A message was received from the Senate in words following :

IN SENATE, May 26, 1880.

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to amend chapter 330 of the Laws of 1850, entitled 'An act reincorporating the village of Little Falls by the name of Rockton,' and the laws amendatory thereof."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Mills, and by unanimous consent, the same was amended as follows :

Page 3, line 11, strike out word "or" and insert in lieu thereof the word "and."

And as amended passed, re-engrossed and ordered sent to the Assembly for concurrence.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|------------|----------|-----------|
| Alvord | Cushing | McAvoy | Sherman |
| Baker, B. F. | Davis | McCabe | Shuit |
| Baker, C. S. | Deane | McCarthy | Sipp |
| Beach | Duell | McDonald | Sisson |
| Beates | Duguid | McTernan | Skinner |
| Benedict, E. D. | Ellis | Miller | Tallmadge |
| Benedict, T. E. | Evans | Mooers | Terry |
| Bennett | Ferris | Morgan | Thilemann |
| Bradley | Fish | Nowlan | Titus |
| Brennan | Fiske | O'Brien | Tozier |
| Bridges | Fitzgerald | Phillips | Travis |
| Brodsky | Gillette | Pitcher | Treanor |

| | | | |
|------------|-----------|----------|-----------------|
| Bullock | Gorsline | Potter | Tuthill, H. H. |
| Catlin | Gray | Potts | Tuttle, R. M. |
| Chase | Grosse | Roberts | Van Valkenburgh |
| Chickering | Hayes | Root | Varnum |
| Childs | Howland | Russell | Warner |
| Clark | Hurd | Sanders | Waterbury |
| Cohen | Husted | Seeley | Wells, J. L. |
| Congdon | Ingersoll | Shanley | Weston |
| Crapser | Lefever | Sheridan | Wren |
| Curtis | Lindsay | | |

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|----------|----------------|
| Alvord | Cushing | Low | Shuit |
| Baker, B. F. | Davis | McCabe | Sipp |
| Baker, C. S. | Deane | McCarthy | Sisson |
| Beach | Dougherty | McDonald | Skinner |
| Beates | Duell | Mead | Slingerland |
| Benedict, E. D. | Duguld | Miller | Tallmadge |
| Benedict, T. E. | Evans | Mooers | Terry |
| Bennett | Ferris | Newman | Thilemann |
| Bradley | Fish | O'Brien | Titus |
| Brennan | Fiske | Phillips | Tozier |
| Bridges | Gillette | Pitcher | Travis |
| Brodsky | Gorsline | Potter | Treanor |
| Bullock | Gray | Potts | Tully |
| Case | Gwinup | Rhodes | Tuthill, H. H. |
| Catlin | Hagan | Roberts | Tuttle, R. M. |
| Chamberlain | Hayes | Root | Varnum |
| Chase | Howland | Russell | Warner |
| Chickering | Hurd | Sanders | Waterbury |
| Childs | Husted | Seeley | Wells, J. L. |
| Cohen | Ingersoll | Shanley | Weston |
| Congdon | Kennedy | Sheridan | Wren |
| Cookinham | Liddle | Sherman | |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

Senate bill entitled "An act to incorporate the 'Order Germania' New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 80 }
{ NOES 7 }

Those who voted in the affirmative, were

| | | | |
|--------------|----------|-----------|----------|
| Alvord | Cohen | Howland | Roberts |
| Andrews | Comstock | Hurd | Root |
| Baker, B. F. | Costello | Husted | Steele |
| Baker, C. S. | Cullinan | Ingersoll | Sheridan |
| Beach | Curtis | Kennedy | Sherman |

| | | | |
|------------------|------------|----------|--------------|
| Beates | Davis | Lefever | Shuit |
| Benedict, E. D. | Deane | Liddle | Sipp |
| Benedict, T. E. | Duguid | Low | Sisson |
| Bennett | Ellis | McCabe | Skinner |
| Brennan | Evans | McCarthy | Slingerland |
| Bridges | Fish | McDonald | Steele |
| Brodsky | Fiske | Mooers | Tallmadge |
| Bullock | Fitzgerald | Morgan | Terry |
| Carpenter, E. A. | Gibbs | Newman | Thilemann |
| Carpenter, I. S. | Gillette | Nowlan | Waterbury |
| Catlin | Gray | O'Brien | Wells, D. A. |
| Chamberlain | Grosse | Parker | Wells, J. L. |
| Chickering | Gwinup | Peck | Weston |
| Childs | Hagan | Potter | Wiley |
| Clark | Hayes | Potts | Wren |

Those who voted in the negative, were

| | | | |
|-----------|----------|----------|---------|
| Cookinham | Cushing | Gorsline | Hoffman |
| Craper | Douglass | Havens | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to regulate the appointment and compensation of janitors for the several armories in the county of Kings," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 73 }
{ NOES 11 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|---------------|
| Alvord | Comstock | Hayes | Nowlan |
| Andrews | Cookinham | Hoffman | O'Brien |
| Baker, B. F. | Craper | Howland | Peck |
| Baker, C. S. | Cullinan | Hurd | Pitcher |
| Beach | Curtis | Husted | Potter |
| Beates | Cushing | Ingersoll | Root |
| Benedict, E. D. | Davis | Kennedy | Russell |
| Bennett | Deane | Lefever | Sheridan |
| Bradley | Douglass | Liddle | Sherman |
| Brennan | Duell | Lindsay | Shuit |
| Bridges | Ellis | Low | Sipp |
| Brodsky | Evans | McAvoy | Sisson |
| Carpenter, E. A. | Fish | McCabe | Skinner |
| Carpenter, I. S. | Gibbs | McCarthy | Titus |
| Case | Gillette | Miller | Travis |
| Chamberlain | Gorsline | Mitchell | Tuttle, R. M. |
| Chickering | Gray | Mooers | Waterbury |
| Clowes | Gwinup | Morgan | Wells, D. A. |
| Wren | | | |

Those who voted in the negative, were

| | | | |
|--------|------------|----------|-----------|
| Catlin | Dougherty | McDonald | Shanley |
| Clancy | Fitzgerald | Newman | Thilemann |
| Cohen | Havens | Parker | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend section 9, title 1, chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 86 }
{ NOES 3 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|---------------|
| Alvord | Davis | Lefever | Seeley |
| Baker, B. F. | Deane | Lindsay | Shanley |
| Baker, C. S. | Douglass | McAvoy | Sherman |
| Beach | Duell | McCabe | Shuit |
| Beates | Duguid | McCarthy | Sipp |
| Benedict, E. D. | Evans | McDonald | Sisson |
| Bennett | Ferris | McTernan | Skinner |
| Brennan | Fish | Miller | Tallmadge |
| Bridges | Fiske | Mooers | Terpeny |
| Brodsky | Fitzgerald | Morgan | Thilemann |
| Bullock | Gibbs | Nowlan | Titus |
| Carpenter, I. S. | Gillette | Parker | Tozier |
| Oatlin | Gorsline | Phillips | Travis |
| Chase | Gray | Pitcher | Treanor |
| Chickering | Griggs | Potter | Tuttle, R. M. |
| Clancy | Hayes | Potts | Warner |
| Clark | Hoffman | Rhodes | Waterbury |
| Congdon | Howland | Roberts | Wells, D. A. |
| Cookinham | Hurd | Root | Wells, J. L. |
| Oullinan | Husted | Russell | Weston |
| Ourtis | Ingersoll | Sanders | Wren |
| Cushing | Kennedy | | |

Those who voted in the negative, were

Grosse Gwinup Havens

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence the bill entitled "An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Grosse, and by unanimous consent, said bill was substituted for Assembly bill No. 792, on same subject.

Senate bill entitled "An act to provide for the revision of the special and local laws affecting public interests in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 85 }
{ NOES 3 }

Those who voted in the affirmative, were

| | | | |
|---------|---------|---------|----------|
| Alvord | Cushing | Lefever | Shanley |
| Andrews | Davis | Liddle | Sheridan |

| | | | |
|------------------|------------|----------|-----------------|
| Baker, B. F. | Douglass | Lindsay | Sherman |
| Baker, C. S. | Duell | Low | Shuit |
| Beach | Duguid | McCabe | Sipp |
| Beates | Ferris | Mead | Sisson |
| Benedict, E. D. | Fish | Miller | Skinner |
| Bradley | Fiske | Mooers | Slingerland |
| Bridges | Fitzgerald | Morgan | Tallmadge |
| Brodsky | Gibbs | Newman | Terry |
| Bullock | Gillette | Nowlan | Thilemann |
| Carpenter, I. S. | Gorsline | O'Brien | Tormey |
| Catlin | Griggs | Phillips | Tozier |
| Chamberlain | Hagan | Pitcher | Treanor |
| Chickering | Hayes | Potter | Tuthill, H. H. |
| Childs | Hoffman | Potts | Van Valkenburgh |
| Clark | Howland | Roberts | Varnum |
| Clowes | Hurd | Root | Wells, D. A. |
| Congdon | Husted | Russell | Wells, J. L. |
| Cookinham | Ingersoll | Sanders | Weston |
| Cullinan | Kennedy | Seeley | Wren |
| Curtis | | | |

Those who voted in the negative, were

| | | |
|---------|------|--------|
| Crapser | Peck | Travis |
|---------|------|--------|

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act for the relief of Patrick Duff, administrator of the estate of Francis H. Duff," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 70 }
{ NOES 26 }

Those who voted in the affirmative, were

| | | | |
|-----------------|------------|-----------|-----------------|
| Alvord | Duguid | Ingersoll | Russell |
| Andrews | Evans | Kennedy | Sanders |
| Baker, B. F. | Ferris | Lefever | Shanley |
| Baker, C. S. | Fish | Lindsay | Sheridan |
| Beach | Fiske | McAvoy | Shuit |
| Beates | Fitzgerald | McCarthy | Sisson |
| Benedict, E. D. | Gibbs | McDonald | Terpeny |
| Bullock | Gillette | Mead | Terry |
| Catlin | Gorsline | Morgan | Thilemann |
| Chamberlain | Gray | Newman | Tozier |
| Clancy | Grosse | Nowlan | Travis |
| Clowes | Gwinup | O'Brien | Treanor |
| Comstock | Hagan | O'Connor | Tuthill, H. H. |
| Congdon | Hayes | Phillips | Van Valkenburgh |
| Cullinan | Hoffman | Potter | Wells, D. A. |
| Cushing | Howland | Roberts | Wiley |
| Deane | Hurd | Root | Wren |
| Dougherty | Husted | | |

Those who voted in the negative, were

| | | | |
|---------|----------|---------|---------------|
| Bradley | Curtis | Pitcher | Slingerland |
| Brennan | Davis | Potts | Tuttle, R. M. |
| Bridges | Douglass | Seeley | Varnum |
| Brodsky | Liddle | Sherman | Waterbury } |

Case
Cookinham
Crapser

Low
Miller
Mitchell

Sipp
Skinner

Wells, J. L.
Weston

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Husted offered for the consideration of the House a resolution in the words following :

Resolved (if the Senate concur), That the President of the Senate, the Speaker of the Assembly, the committee on militia of the Senate and the committee on militia of the Assembly be, and they are hereby appointed to represent the Legislature of this State at the approaching meeting of the society of the Army of the Potomac, to be held at the city of Burlington, Vt., on the 16th day of June next, without expense to the State.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

A message from the Senate was received in the words following :

IN SENATE, *May 26, 1880.*

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill entitled "An act further to regulate the admission to this State of fire and marine insurance companies from other countries than the United States."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Schroeder, and by unanimous consent, the same was amended as follows :

Section 4, line 6, after the word "State" strike out balance of section.

And as amended, passed, and ordered sent to the Assembly for concurrence.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord
Andrews
Baker, B. F.
Baker, C. S.
Beach
Beates
Benedict, E. D.
Benedict, T. E.
Bennett
Bradley
Brennan
Bridges

Congdon
Cookinham
Curtis
Cushing
Davis
Deane
Douglass
Duell
Duguid
Ellis
Evans
Ferris]

Hoffman
Howland
Hurd
Husted
Ingersoll
Kennedy
Lefever
Liddle
Lindsay
Low
McAvoy
McCarthy

Roberts
Root
Russell
Seeley
Shanley
Sheridan
Sherman
Shuit
Sipp
Sisson
Skinner]
Slingerland

| | | | |
|------------------|------------|----------|-----------------|
| Brodsky | Fish | McDonald | Tallmadge |
| Bullock | Fiske | Miller | Terpeny |
| Carpenter, E. A. | Fitzgerald | Mitchell | Terry |
| Carpenter, I. S. | Gibbs | Moovers | Tozier |
| Case | Gillette | Morgan | Travis |
| Catlin | Gorsline | Newman | Van Valkenburgh |
| Chamberlain, | Gray | O'Brien | Warner |
| Chase | Grossey | Peck | Waterbury |
| Chickering! | Gwinup] | Phillips | Wells, D. A. |
| Childs | Hagan | Potts | Wells, J. L. |
| Cohen | Havens | Rhodes | Wren |
| Comstock | Hayes | | |

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.!

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Fish | McCarthy | Sipp |
| Andrews | Fiske | McDonald | Sisson |
| Baker, B. F. | Fitzgerald | Mead | Skinner |
| Baker, C. S. | Gibbs | Miller | Slingerland |
| Beach | Gillette | Morgan | Steele |
| Beates | Gorsline | Newman | Tallmadge |
| Benedict, E. D. | Gray | Nowlan | Terpeny |
| Brennan | Griggs | O'Brien | Terry |
| Brodsky | Grosse | O'Connor | Thilemann |
| Bullock | Havens | Peck | Tozier |
| Carpenter, E. A. | Hayes | Phillips | Travis |
| Carpenter, I. S. | Hoffman | Pitcher | Treanor |
| Catlin | Howland | Potts | Tuttle, R. M. |
| Chickering | Hurd | Rhodes | Van Valkenburgh |
| Cohen | Husted | Roberts | Varnum |
| Deane | Ingersoll | Root | Waterbury |
| Dougherty | Kennedy | Russell | Wells, D. A. |
| Douglass | Lefever | Sanders | Wells, J. L. |
| Duell | Liddle | Seeley | Weston |
| Duguid | Lindsay | Shanley | Wiley |
| Ellis | Low | Sheridan | Wren |
| Evans | McAvoy | Sherman | Youngs |
| Ferris | McCabe | Shuit | |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The hour of two having arrived, the House took a recess until 4 P. M.

FOUR O'CLOCK, P. M.

The House again met.

Mr. Speaker directed the Clerk to call the roll of members and ascertain if a quorum was present, and the following members answered to their names:

| | | | |
|--------------|----------|--------|---------|
| Alvord | Deane | Low | Sherman |
| Baker, B. F. | Douglass | Miller | Shuit |

| | | | |
|------------------|------------|----------|--------------|
| Beates | Duell | Mooers | Sipp |
| Benedict, T. E. | Ferris | Morgan | Sisson |
| Bennett | Fish | Newman | Skinner |
| Bradley | Fitzgerald | O'Brien | Slingerland |
| Bridges | Gillette | Peck | Tallmadge |
| Brodsky | Gray | Phillips | Terpeny |
| Bullock | Gwinup | Pitcher | Thilemann |
| Carpenter, E. A. | Hagan | Potter | Tozier |
| Case | Havens | Rhodes | Travis |
| Clancy | Howland | Root | Treanor |
| Clowes | Hurd | Russell | Varnum |
| Cohen | Kennedy | Sanders | Waterbury |
| Comstock | Lefever | Seeley | Wells, J. L. |
| Cullinan | Liddle | Shanley | Wren |
| Curtis | Lindsay | Sheridan | Mr. Speaker |

68

A quorum being present.

By unanimous consent,

Mr. Shanley introduced a bill entitled "An act to provide for the election of a messenger for the common council of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Shanley, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|--------------|
| Alvord | Cohen | Kennedy | Sanders |
| Andrews | Comstock | Lefever | Shanley |
| Baker, B. F. | Cookinham | Liddle | Sheridan |
| Baker, O. S. | Cullinan | Lindsay | Sherman |
| Beach | Curtis | Low | Shuit |
| Beates | Davis | Miller | Sipp |
| Benedict, E. D. | Deane | Mooers | Sisson |
| Benedict, T. E. | Douglass | Morgan | Skinner |
| Bennett | Duell | Newman | Slingerland |
| Bradley | Ferris | Nowlan | Tallmadge |
| Brennan | Fish | O'Brien | Terpeny |
| Bridges | Fitzgerald | O'Connor | Thilemann |
| Brodsky | Gibbs | Peck | Tozier |
| Bullock | Gillette | Phillips | Travis |
| Carpenter, E. A. | Gorsline | Pitcher | Treanor |
| Carpenter, I. S. | Gray | Potter | Varnum |
| Catlin | Gwinup | Potts | Warner |
| Chickering | Havens | Rhodes | Waterbury |
| Clancy | Howland | Roberts | Wells, J. L. |
| Clark | Hurd | Root | Weston |
| Clowes | Ingersoll | Russell | Wren |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Wren offered for the consideration of the House a resolution in the words following:

Resolved, That a committee of five be appointed to investigate the

affairs of the Cypress Hill Cemetery Association of the county of Queens, said committee to report to the Assembly of 1881, and to have power to send for persons and papers, said investigation under no circumstances will be any expense to the State.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Bradley offered for the consideration of the House a resolution in the words following:

Resolved (if the Senate concur), That the Speaker of this House and the President of the Senate are hereby requested to represent this Legislature at the centennial celebration of the capture of Andre, at Tarrytown, on the 23d day of September next without expense to the State.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred Senate bill (introductory No. 360), entitled "An act in relation to the clerk and register of deeds of the city and county of New York," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Hagan, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 318), entitled "An act in relation to cleaning the streets of the city of Brooklyn," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Russell, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the Senate bill (introductory No. 292), entitled "An act to alter the map or plan of the city of New York by providing for the re-opening, extension and opening of a part of Bloomingdale road," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Treanor, and by unanimous consent, said bill was ordered to a third reading.

The bill entitled "An act to incorporate the Metropolitan Merchandise Loan Company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }
{ NOES 1 }

Those who voted in the affirmative, were

Alvord
Andrews

Cullinan
Curtis

Kennedy
Lefever

Shanley
Sheridan

| | | | |
|------------------|------------|----------|--------------|
| Baker, B. F. | Cushing | Liddle | Shuit |
| Baker, C. S. | Davis | Lindsay | Sipp |
| Beach | Deane | Low | Sisson |
| Beates | Dougherty | McCarthy | Skinner |
| Bradley | Douglass | McDonald | Slingerland |
| Bridges | Duell | Miller | Steele |
| Brodsky | Duguid | Mooers | Tallmadge |
| Bullock | Evans | Morgan | Terpeny |
| Carpenter, E. A. | Ferris | Newman | Titus |
| Carpenter, I. S. | Fish | Nowlan | Tozier |
| Case | Fitzgerald | O'Brien | Varnum |
| Catlin | Gibbs | O'Connor | Warner |
| Chickering | Gillette | Parker | Waterbury |
| Childs | Gray | Phillips | Wells, D. A. |
| Clark | Griggs | Rhodes | Wells, J. L. |
| Clowes | Gwinup | Roberts | Weston |
| Comstock | Hayes | Root | Wiley |
| Congdon | Howland | Russell | Wren |
| Cookinham | Hurd | Seeley | |

Those who voted in the negative, were

Peck

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Varnum, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Varnum (introductory No. 1181), entitled "An act to provide for cleaning the streets of the city of New York, and the collection and disposition of the ashes, garbage and street sweepings in said city," reported by order of the House the same complete, which report was agreed to.

On motion of Mr. Varnum, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 72 }
{ NOES 4 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Andrews | Cookinham | Liddle | Sipp |
| Baker, B. F. | Cushing | Lindsay | Sisson |
| Baker, C. S. | Deane | Low | Skinner |
| Beach | Dougherty | McCarthy | Slingerland |
| Beates | Douglass | Mitchell | Tallmadge |
| Benedict, E. D. | Duell | Mooers | Terpeny |
| Bradley | Duguid | Morgan | Thilemann |
| Bridges | Evans | Newman | Titus |
| Brodsky | Ferris | Phillips | Tormey |
| Bullock | Fiske | Pitcher | Treanor |
| Carpenter, E. A. | Gillette | Potts | Tuthill, H. H. |
| Case | Gray | Rhodes | Varnum |
| Chamberlain | Griggs | Roberts | Warner |
| Chickering | Hagan | Root | Waterbury |
| Childs | Hayes | Sanders | Wells, D. A. |
| Clowes | Howland | Seeley | Wells, J. L. |
| Cohen | Hurd | Sherman | Weston |
| Congdon | Lefever | Shuit | Wren |

Those who voted in the negative, were

| | | | |
|--------|-----------------|--------|--------|
| Alvord | Benedict, T. E. | Havens | Parker |
|--------|-----------------|--------|--------|

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act giving the right to interpose supplemental pleading setting forth a discharge in bankruptcy," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

| | |
|--------|------|
| { AYES | 79 } |
| { NOES | 3 } |

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|----------|--------------|
| Alvord | Congdon | Lefever | Root |
| Andrews | Cookinham | Liddle | Russell |
| Baker, B. F. | Cullinan | Lindsay | Shanley |
| Baker, C. S. | Curtis | Low | Sherman |
| Beach | Cushing | McCabe | Sisson |
| Beates | Davis | McCarthy | Skinner |
| Benedict, E. D. | Deane | McDonald | Tallmadge |
| Benedict, T. E. | Douglass | Miller | Terpeny |
| Bridges | Duell | Mitchell | Terry |
| Brodsky | Evans | Mooers | Titus |
| Bullock | Ferris | Morgan | Travis |
| Case | Fish | Newman | Treanor |
| Catlin | Gibbs | Nowlan | Warner |
| Chickering | Gillette | O'Brien | Waterbury |
| Childs | Gray | Parker | Wells, D. A. |
| Clancy | Gwinup | Peck | Wells, J. L. |
| Clark | Havens | Phillips | Weston |
| Clowes | Howland | Potts | Wiley |
| Cohen | Hurd | Rhodes | Wren |
| Comstock | Kennedy | Roberts | |

Those who voted in the negative, were

| | | |
|---------|--------|-------|
| Pitcher | Seeley | Shuit |
|---------|--------|-------|

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

| | |
|--------|------|
| { AYES | 90 } |
| { NOES | 00 } |

Those who voted in the affirmative, were

| | | | |
|--------------|-----------|----------|---------|
| Alvord | Cookinham | McCabe | Sherman |
| Andrews | Curtis | McCarthy | Shuit |
| Baker, B. F. | Cushing | Mead | Sipp |
| Baker, C. S. | Davis | Miller | Sisson |
| Beach | Deane | Mooers | Skinner |

| | | | |
|------------------|-----------|----------|--------------|
| Beates | Dougherty | Morgan | Slingerland |
| Benedict, E. D. | Douglass | Newman | Tallmadge |
| Bradley | Duell | Nowlan | Terpeny |
| Brennan | Duguid | O'Brien | Terry |
| Bridges | Evans | O'Connor | Thilemann |
| Brodsky | Ferris | Peck | Titus |
| Bullock | Fish | Phillips | Tormey |
| Carpenter, E. A. | Gillette | Pitcher | Travis |
| Case | Gray | Potts | Treanor |
| Oatlin | Gwinup | Rhodes | Varnum |
| Chamberlain | Havens | Roberts | Warner |
| Chickering | Howland | Root | Waterbury |
| Clancy | Hurd | Russell | Wells, D. A. |
| Clark | Kennedy | Sanders | Wells, J. L. |
| Clowes | Lefever | Seeley | Weston |
| Cohen | Liddle | Shanley | Wiley |
| Comstock | Lindsay | Sheridan | Wren |
| Congdon | Low | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to create a board of estimate for the county of Kings and the city of Brooklyn, and to prescribe the manner in which appropriations shall be made for the support of the government of said county and said city," being announced for a third reading.

On motion of Mr. Newman, and by unanimous consent, said bill was amended as follows:

Section 3, line 10, after "officers" insert "which court officers shall hereafter hold their offices subject to the orders of the court respectively."

Amend title by adding after the word "city" the words "and the appointment of court officers."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }
{ NOES 3 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Cullinan | Lindsay | Sheridan |
| Andrews | Davis | McCabe | Sherman |
| Baker, B. F. | Deane | McCarthy | Shuit |
| Baker, O. S. | Douglass | Miller | Sipp |
| Beach | Duell | Mooers | Sisson |
| Beates | Duguid | Morgan | Skinner |
| Bradley | Ellis | Newman | Slingerland |
| Bridges | Evans | Nowlan | Terry |
| Brodsky | Fish | O'Brien | Tozier |
| Bullock | Fitzgerald | Peck | Travis |
| Carpenter, E. A. | Gillette | Phillips | Tuthill, H. H. |
| Oatlin | Gray | Pitcher | Tuttle, R. M. |
| Chickering | Griggs | Potts | Warner |
| Childs | Gwinup | Rhodes | Waterbury |
| Clark | Hayden | Roberts | Wells, D. A. |

| | | | |
|-----------|---------|---------|--------------|
| Clowes | Havens | Root | Wells, J. L. |
| Cohen | Hurd | Russell | Weston |
| Comstock | Kennedy | Sanders | Wiley |
| Congdon | Lefever | Seeley | Wren |
| Cookinham | Liddle | | |

Those who voted in the negative, were
Benedict, T. E. Clancy Howland

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to provide for lights at the crossings of streets by elevated railroads in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 74 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|-----------------|----------|----------|----------------|
| Alvord | Davis | McDonald | Sisson |
| Andrews | Douglass | Miller | Skinner |
| Baker, B. F. | Duguid | Morgan | Slingerland |
| Baker, C. S. | Evans | Nowlan | Steele |
| Beach | Ferris | O'Brien | Tallmadge |
| Beates | Fish | Parker | Terry |
| Benedict, E. D. | Gibbs | Peck | Titus |
| Bradley | Gillette | Potter | Tormey |
| Brennan | Gorsline | Potts | Tozier |
| Bridges | Gray | Rhodes | Treanor |
| Brodsky | Gwinup | Roberts | Tuthill, H. H. |
| Bullock | Havens | Root | Tuttle, R. M. |
| Chickering | Howland | Russell | Waterbury |
| Childs | Hurd | Sanders | Wells, D. A. |
| Clowes | Husted | Seeley | Wells, J. L. |
| Cohen | Kennedy | Sheridan | Weston |
| Comstock | Lefever | Shuit | Wiley |
| Cookinham | Liddle | Sipp | Wren |
| Cullinan | Lindsay | | |

Those who voted in the negative, were
Carpenter, E. A.

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Skinner offered for the consideration of the House a resolution in the words following:

Resolved, That a respectful message be sent to the Senate asking the return of Senate bill No. 49, entitled "An act to amend chapter 163 of the Laws of 1870, entitled 'An act to amend the act entitled 'An act to authorize the business of banking,' passed April 18, 1838," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate.

Senate bill entitled "An act to provide that the superintendent of the poor of the county of Columbia may be the keeper of the poor-house of said county, and to provide for his compensation," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|-----------------|----------|----------|----------------|
| Alvord | Congdon | Husted | Russell |
| Andrews | Cullinan | Kennedy | Sanders |
| Baker, B. F. | Cushing | Lefever | Seeley |
| Baker, C. S. | Davis | Lindsay | Shuit |
| Beach | Deane | McCabe | Sipp |
| Beates | Douglass | McCarthy | Sisson |
| Benedict, E. D. | Duguid | McDonald | Skinner |
| Benedict, T. E. | Evans | Mead | Steele |
| Bradley | Ferris | Miller | Tallmadge |
| Brennan | Fish | Mooers | Terry |
| Bridges | Fiske | Morgan | Thilemann |
| Brodeur | Gibbs | Newman | Titus |
| Bullock | Gillette | Nowlan | Tozier |
| Case | Gorsline | O'Brien | Travis |
| Chase | Gray | Parker | Tuthill, H. H. |
| Chickering | Griggs | Phillips | Warner |
| Childs | Grosse | Pitcher | Waterbury |
| Clark | Gwinup | Potter | Wells, D. A. |
| Clowes | Hayes | Potts | Wells, J. L. |
| Cohen | Howland | Roberts | Weston |
| Comstock | Hurd | Root | Wren |

Those who voted in the negative, were

Crapser

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to make effectual judicial decrees against unknown owners," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|-----------------|----------|---------|-----------|
| Alvord | Cushing | Lefever | Sheridan |
| Andrews | Davis | Lindsay | Sherman |
| Baker, B. F. | Deane | Low | Shuit |
| Baker, C. S. | Douglass | McCabe | Sipp |
| Beach | Duell | Mead | Sisson |
| Beates | Duguid | Miller | Tallmadge |
| Benedict, E. D. | Ferris | Mooers | Terpeny |
| Bradley | Fish | Morgan | Terry |

| | | | |
|------------------|------------|---------|----------------|
| Brennan | Fiske] | Newman | Tormey |
| Bridges | Fitzgerald | Nowlan | Tozier |
| Brodsky | Gibbs | O'Brien | Travis |
| Bullock | Gillette | Peck | Treanor |
| Carpenter, E. A. | Gorsline | Pitcher | Tuthill, H. H. |
| Chase | Gray | Potter | Varnum |
| Chickering | Grosse | Potts | Warner |
| Childs | Hayes | Roberts | Waterbury |
| Clark | Hoffman | Root | Wells, D. A. |
| Cohen | Howland | Russell | Wells, J. L. |
| Comstock | Hurd | Sanders | Weston |
| Congdon | Husted | Seeley | Wiley |
| Cookinham | Kennedy] | Shanley | Wren |
| Curtis | | | |

Those who voted in the negative, were

Parker

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 65 }
{ NOES 27 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Douglass | Low | Sheridan |
| Andrews | Duell | McCabe | Sherman |
| Baker, B. F. | Duguid | McCarthy | Shuit |
| Beates | Evans | Miller | Sipp |
| Benedict, E. D. | Ferris | Mooers | Sisson |
| Bradley | Fish | Morgan | Skinner |
| Bridges | Fitzgerald | Nowlan | Terry |
| Brodsky | Gorsline | O'Brien | Thilemann |
| Carpenter, E. A. | Gray | Peck | Tuthill, H. H. |
| Catlin | Grosse | Phillips | Tuttle, R. M. |
| Cohen | Hagan | Pitcher | Varnum |
| Comstock | Hayes | Potter | Waterbury |
| Congdon | Howland | Potts | Wells, J. L. |
| Cookinham | Hurd | Roberts | Weston |
| Cullinan | Kennedy | Root | Wren |
| Davis | Lefever | Seeley | Youngs |
| Dougherty | | | |

Those who voted in the negative, were

| | | | |
|-----------------|----------|--------|--------------|
| Beach | Crapser | Gwinup | Rhodes |
| Benedict, T. E. | Curtis | Havens | Russell |
| Brennan | Cushing | Husted | Slingerland |
| Bullock | Ellis | Liddle | Titus |
| Cass | Gibbs | Mead | Tormey |
| Chamberlain | Gillette | Newman | Wells, D. A. |
| Chase | Griggs | Parker | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to facilitate the collection of judgments against towns, counties, cities and villages," having been announced for a third reading,

Mr. B. F. Baker moved to substitute for said bill the Senate bill of same title and subject.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said Senate bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 72 }
{ NOES 14 }

Those who voted in the affirmative, were

| | | | |
|-----------------|------------|----------|--------------|
| Alvord | Cornstock | Howland | Sheridan |
| Andrews | Congdon | Husted | Sherman |
| Baker, B. F. | Cookinham | Kennedy | Shuit |
| Beach | Cullinan | Lefever | Sipp |
| Beates | Curtis | McAvoy | Sisson |
| Benedict, E. D. | Cushing | Miller | Steele |
| Bennett | Davis | Mitchell | Terry |
| Bradley | Deane | Mooers | Thilemann |
| Brennan | Dougherty | Newman | Titus |
| Bridges | Douglass | Parker | Tormey |
| Brodsky | Duguid | Potter | Travis |
| Bullock | Ferris | Potts | Treanor |
| Catlin | Fish | Roberts | Varnum |
| Chamberlain | Fitzgerald | Root | Waterbury |
| Chase | Gibbs | Russell | Wells, D. A. |
| Chickering | Gillette | Sanders | Wells, J. L. |
| Clancy | Gorsline | Seeley | Weston |
| Clark | Gray | Shanley | Yongs |

Those who voted in the negative, were

| | | | |
|-----------------|--------|----------|---------------|
| Benedict, T. E. | Griggs | McCabe | Tozier |
| Cohen | Gwinup | Mead | Tuttle, R. M. |
| Crapser | Havens | O'Connor | Wren |
| Ellis | Liddle | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act in relation to the temporary relief of the poor of the town of Ulster, Ulster county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|--------------|-----------|-----------|---------|
| Alvord | Congdon | Ingersoll | Sherman |
| Andrews | Cookinham | Kennedy | Shuit |
| Baker, B. F. | Crapser | Lefever | Sipp |
| Baker, C. S. | Cullinan | Lindsay | Sisson |

| | | | |
|------------------|------------|----------|-----------------|
| Beach | Curtis | Miller | Steele |
| Beates | Cushing | Mitchell | Strait |
| Benedict, E. D. | Davis | Mooers | Tallmadge |
| Bradley | Dougherty | Morgan | Terry |
| Brennan | Douglass | Newman | Thilemann |
| Bridges | Ellis | Nowlan | Titus |
| Brodsky | Evans | O'Brien | Tozier |
| Bullock | Ferris | O'Connor | Travis |
| Carpenter, E. A. | Fitzgerald | Parker | Treanor |
| Catlin | Gorsline | Phillips | Tully |
| Chase | Gray | Pitcher | Tuttle, R. M. |
| Chickering | Griggs | Roberts | Van Valkenburgh |
| Childs | Gwinup | Root | Waterbury |
| Clark | Havens | Russell | Wells, D. A. |
| Clowes | Howland | Sanders | Wells, J. L. |
| Cohen | Hurd | Seeley | Weston |
| Comstock | Husted | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Mooers introduced a bill entitled "An act to amend chapter 346 of the Laws of 1879, entitled 'An act for the enlargement of Clinton State prison,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Mooers, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 4 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Andrews | Costello | Lindsay | Sipp |
| Baker, B. F. | Crapser | Low | Sisson |
| Baker, C. S. | Cullinan | McCabe | Slingerland |
| Beach | Curtis | McDonald | Steele |
| Beates | Douglass | Miller | Strait |
| Benedict, T. E. | Duguid | Mitchell | Tallmadge |
| Bennett | Evans | Mooers | Terpeny |
| Bradley | Ferris | Morgan | Thilemann |
| Brennan | Fish | Nowlan | Titus |
| Bridges | Fiske | O'Brien | Tormey |
| Brodsky | Fitzgerald | Parker | Tozier |
| Carpenter, E. A. | Gillette | Phillips | Travis |
| Carpenter, I. S. | Gorsline | Pitcher | Tully |
| Case | Gray | Potts | Tuthill, H. H. |
| Catlin | Griggs | Rhodes | Van Valkenburgh |
| Chamberlain | Howland | Roberts | Varuum |
| Chase | Hurd | Root | Waterbury |
| Chickering | Husted | Russell | Wells, D. A. |
| Childs | Ingersoll | Sanders | Wells, J. L. |
| Cohen | Kennedy | Seeley | Weston |
| Congdon | Lefever | Sherman | Wren |
| Cookinham | Liddle | Shuit | Youngs |

Those who voted in the negative, were

Cushing

Davis

Gwinup

Havens

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to give to the common council of the city of Buffalo power to allow the owners of the Arcade building in said city compensation for the injury to said building occasioned by the acts of the public authorities of said city in January, 1865," being announced for a third reading.

Mr. Sipp moved to recommit said bill to the committee on affairs of cities, with instructions to strike out the enacting clause.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Senate bill entitled "An act to regulate the dimensions and measurement of apple barrels," being announced for a third reading.

On motion of Mr. Gray, and by unanimous consent, said bill was amended in words following:

Section 6, strike out all the section and in place thereof insert: "Section 6. This act shall take effect on the first day of January, 1881."

Mr. Sherman moved to recommit said bill to the committee on agriculture, with instructions to amend the same in words following:

Section 1, line 1, after the word "apples" insert the words "pears, quinces, potatoes, and other vegetables."

Section 2, line 1, section 3, lines 4 and 5, by making the same insertion.

Mr. Cullinan moved further to instruct said committee to insert in line 2, section 1, after the word "staves" the words "not less than;" insert in line 3, section 1, after the word "be" the words "not less than;" insert in line 3, section 1, after the word "bulge" the words "not less than."

After debate,

Mr. Sherman moved the previous question.

Mr. Speaker put the question, "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Cullinan, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Sherman, and it was determined in the negative.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 73 }
{ NOES 39 }

Those who voted in the affirmative, were

Andrews

Dougherty

Miller

Steele

Baker, C. S.

Douglass

Mitchell

Tallmadge

Beates

Duell

Moors

Terpeny

Benedict, E. D.

Ellis

Newman

Thilemann

Bennett

Fitzgerald

Nowlan

Titus

Carpenter, E. A.

Gibbs

O'Brien

Tormey

| | | | |
|-------------|----------|----------|----------------|
| Oatlin | Gorsline | O'Connor | Travis |
| Ohamberlain | Gray | Peck | Treanor |
| Chase | Grosae | Pitcher | Tully |
| Chickering | Gwinup | Potter | Tuthill, H. H. |
| Claney | Hagan | Rhodes | Tuttle, R. M. |
| Clowes | Hayes | Roberts | Varnum |
| Cohen | Lindsay | Russell | Wells, D. A. |
| Cookinham | McAvoy | Sanders | Wells, J. L. |
| Costello | McCarthy | Shanley | Weston |
| Crapeer | McDonald | Sheridan | Wren |
| Cullinan | McTernan | Shuit | Youngs |
| Cushing | Mead | Sipp | Mr. Speaker |
| Deane | | | |

Those who voted in the negative, were

| | | | |
|------------------|----------|----------|-----------------|
| Alvord | Congdon | Howland | Root |
| Baker, B. F. | Curtis | Hurd | Seeley |
| Beach | Davis | Kennedy | Sherman |
| Bradley | Duguid | Lefever | Sisson |
| Bridges | Evans | Low | Skinner |
| Bullock | Ferris | McCabe | Slingerland |
| Carpenter, I. S. | Fish | Morgan | Strait |
| Case | Gillette | Parker | Van Valkenburgh |
| Childs | Griggs | Phillips | Warner |
| Comstock | Hoffman | Potts | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same, with amendments.

Mr. Husted moved that the time of this session be extended until 8 o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

A message was received from the Governor in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }
ALBANY, May 26, 1880. }

To the Assembly:

Pursuant to a joint resolution of the Senate and Assembly, Assembly bill No. 386, entitled "An act to reduce and fix the rate of interest on bonds and mortgages held by the commissioners of the United States Deposit Fund in the several counties of the State, and to amend title 14 of chapter 9 of part 1 of the Revised Statutes, entitled 'Of the United States Deposit Fund,'" is herewith returned for amendment.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 91 }
{ NOES 2 }

Those who voted in the affirmative, were

| | | | |
|--------------|-----------|---------|---------|
| Andrews | Cushing | Kennedy | Sherman |
| Baker, B. F. | Davis | Lefever | Shuit |
| Baker, C. S. | Deane | Liddle | Sipp |
| Beach | Dougherty | Lindsay | Sisson |

| | | | |
|------------------|------------|----------|----------------|
| Beates | Douglass | Low | Skinner |
| Bradley | Duell | McCabe | Slingerland |
| Brennan | Ellis | McDonald | Steele |
| Bridges | Evans | McTernan | Strait |
| Brodsky | Ferris | Mead | Tallmadge |
| Bullock | Fish | Miller | Terry |
| Carpenter, E. A. | Fiske | Mitchell | Thilemann |
| Carpenter, I. S. | Fitzgerald | Mooers | Titus |
| Case | Gillette | Morgan | Tozier |
| Oatlin | Gorsline | Newman | Travis |
| Chase | Gray | Nowlan | Treanor |
| Chickering | Griggs | O'Brien | Tuthill, H. H. |
| Clowes | Grosse | Pitcher | Tuttle, R. M. |
| Cohen | Gwinup | Rhodes | Waterbury |
| Comstock | Hayes | Roberts | Wells, D. A. |
| Congdon | Hoffman | Root | Wells, J. L. |
| Cookinham | Howland | Russell | Weston |
| Cullinan | Hurd | Shanley | Youngs |
| Curtis | Husted | Sheridan | |

Those who voted in the negative, were

Alvord Havens

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 96 }
{ NOES 2 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|----------------|
| Andrews | Cullinan | Husted | Shanley |
| Baker, B. F. | Curtis | Ingersoll | Sheridan |
| Baker, C. S. | Cushing | Kennedy | Sherman |
| Beach | Davis | Liddle | Shuit |
| Beates | Deane | Lindsay | Sipp |
| Benedict, E. D. | Douglass | Low | Skinner |
| Bradley | Duell | McAvoy | Steele |
| Brennan | Duguid | McCarthy | Strait |
| Brodsky | Ellis | McDonald | Tallmadge |
| Bullock | Evans | Miller | Terpeny |
| Carpenter, I. S. | Ferris | Mitchell | Terry |
| Oatlin | Fish | Newman | Thilemann |
| Chamberlain | Fitzgerald | Nowlan | Titus |
| Chase | Gibbs | O'Conno- | Tozier |
| Chickering | Gorsline | Parker | Treanor |
| Childs | Griggs | Peck | Tuthill, H. H. |
| Clancy | Grosse | Pitcher | Tuttle, R. M. |
| Clowes | Gwinup | Potts | Varnum |
| Cohen | Hagan | Rhodes | Warner |
| Comstock | Havens | Roberts | Waterbury |
| Congdon | Hayes | Root | Wells, J. L. |
| Cookinham | Hoffman | Russell | Weston |
| Costello | Howland | Sanders | Wren |
| Crapsier | Hurd | Seely | Mr. Speaker |

Those who voted in the negative, were

Alvord Slingerland

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The Senate sent for concurrence the bills entitled as follows :

"An act to authorize the reavling in courts and proceedings of the compilation entitled "The special and local laws affecting public interests in the city of New York, and to declare the effect thereof," which was read the first time, and by unanimous cónsent was also read the second time.

On motion of Mr. Varnum, and by unanimous consent, said bill was substituted for Assembly bill No. 806, and by unanimous consent ordered to a third reading.

"An act to repeal certain acts and parts of acts therein named, so far as the same relate to or apply to or within the city and county of New York," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Husted, and by unanimous consent, said bill was ordered to a third reading.

Mr. Husted moved that this House take a recess until 8:30 o'clock.

Mr. Alvord moved to strike out "8:30" and insert "9."

Mr. Speaker put the question whether the House would agree to the motion of Mr. Alvord, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Husted, and it was determined in the affirmative.

And at 6 o'clock and 35 minutes, the House took a recess until 8:30 P. M.

HALF-PAST EIGHT O'CLOCK, P. M.

The House again met.

Mr. Speaker directed the Clerk to call the roll of members to ascertain if a quorum was present, and the following members answered to their names:

| | | | |
|------------------|------------|----------|-----------------|
| Andrews | Curtis | Low | Sisson |
| Baker, B. F. | Cushing | McCarthy | Skinner |
| Baker, C. S. | Davis | McDonald | Tallmadge |
| Beates | Deane | Morgan | Terpeny |
| Bennett | Douglass | Newman | Terry |
| Bradley | Ellis | O'Brien | Thilemann |
| Bridges | Evans | O'Connor | Titus |
| Brodsky | Fish | Parker | Tormey |
| Bullock | Fiske | Peck | Tozier |
| Carpenter, E. A. | Fitzgerald | Phillips | Travis |
| Carpenter, I. S. | Gibbs | Pitcher | Treanor |
| Case | Gillette | Potts | Tuthill, H. H. |
| Childs | Groose | Rhodes | Tuttle, R. M. |
| Clark | Gwinup | Root | Van Valkenburgh |
| Clowes | Hagan | Russell | Varnum |
| Cohen | Howland | Sanders | Warner |
| Gemstock | Husted | Seeley | Wells, J. L. |
| Cookinham | Ingersoll | Shanley | Weston |
| Costello | Lefever | Sheridan | Wren |
| Crapeer | Liddle | Shuit | Mr. Speaker |
| Cullinan | Lindsay | Sipp | |

83

A quorum being present,

On motion of Mr. B. F. Baker, and by unanimous consent, the sub-committee of the whole was discharged from the further con-

sideration of Senate bill entitled "An act to amend chapter 467 of the Laws of 1870, entitled 'An act in relation to the county courts,'" and said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Andrews | Deane | Low | Shanley |
| Baker, B. F. | Dougherty | McCabe | Sherman |
| Baker, C. S. | Douglass | McCarthy | Shuit |
| Beach | Duell | McDonald | Sipp |
| Beates | Ellis | McTernan | Sisson |
| Bradley | Fish | Mooers | Skinner |
| Brennan | Fiske | Morgan | Slingerland |
| Bridges | Fitzgerald | Newman | Tallmadge |
| Brodsky | Gibbs | Nowlan | Terpeny |
| Bullock | Gorsline | O'Brien | Terry |
| Carpenter, E. A. | Gray | Parker | Titus |
| Carpenter, I. S. | Griggs | Peck | Tormey |
| Case | Grosse | Phillips | Tozier |
| Clark | Hagan | Pitcher | Travis |
| Cohen | Howland | Potter | Treanor |
| Comstock | Hurd | Potts | Tuthill, H. H. |
| Cookinham | Husted | Rhodes | Tuttle, R. M. |
| Costello | Ingersoll | Roberts | Waterbury |
| Cullinan | Kennedy | Root | Wells, D. A. |
| Curtis | Lefever | Russell | Wells, J. L. |
| Cushing | Liddle | Sanders | Weston |
| Davis | Lindsay | Seeley | Wren |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act in relation to rates of fare upon certain railroads," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 73 }
{ NOES 8 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|-----------|
| Andrews | Cushing | Husted | Sheridan |
| Baker, B. F. | Douglass | Ingersoll | Sherman |
| Baker, C. S. | Duell | Kennedy | Shuit |
| Beach | Duguid | Lefever | Sipp |
| Beates | Ellis | Liddle | Skinner |
| Bradley | Evans | Lindsay | Strait |
| Brodsky | Fish | McCarthy | Tallmadge |
| Carpenter, I. S. | Fiske | Mooers | Terpeny |
| Catlin | Fitzgerald | Morgan | Titus |
| Chamberlain | Gibbs | Nowlan | Tormey |
| Childs | Gillette | Parker | Travis |

| | | | |
|-----------|----------|---------|----------------|
| Clark | Gorsline | Peck | Treanor |
| Clowes | Gray | Potts | Tuthill, H. H. |
| Cohen | Griggs | Rhodes | Tuttle, R. M. |
| Comstock | Grosse | Roberts | Warner |
| Cookinham | Hagan | Root | Wells, J. L. |
| Costello | Hayes | Seeley | Weston |
| Cullinan | Hurd | Shanley | Wren |
| Curtis | | | |

Those who voted in the negative, were

| | | | |
|-----------------|---------|---------|-------------|
| Benedict, E. D. | Bridges | Crapser | Gwinup |
| Benedict, T. E. | Congdon | Deane | Slingerland |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the dock department of the city of New York to construct a new pier for the use of the police and fire departments of that city," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 70 }
{ NOES 10 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Andrews | Costello | Kennedy | Shuit |
| Baker, B. F. | Curtis | Lefever | Sipp |
| Baker, C. S. | Cushing | Liddle | Skinner |
| Beach | Davis | Low | Strait |
| Beates | Deane | McCabe | Tallmadge |
| Bradley | Douglass | McDonald | Terry |
| Brodaky | Duell | Mooers | Thilemann |
| Bullock | Duguid | Nowlan | Titus |
| Carpenter, I. S. | Evans | O'Connor | Tormey |
| Chamberlain | Fitzgerald | Parker | Tozier |
| Chase | Gibbs | Pitcher | Treanor |
| Chickering | Gillette | Potts | Tuthill, H. H. |
| Clark | Gorsline | Rhodes | Tuttle, R. M. |
| Clowes | Gray | Russell | Van Valkenburgh |
| Cohen | Griggs | Sanders | Varnum |
| Comstock | Gwinup | Seeley | Wells, D. A. |
| Congdon | Husted | Shanley | Wells, J. L. |
| Cookinham | Ingersoll | | |

Those who voted in the negative, were

| | | | |
|-----------------|--------|---------|-------------|
| Alvord | Ellis | Roberts | Slingerland |
| Benedict, E. D. | Havens | Root | Wiley |
| Bridges | Newman | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to arrears of regular rents and charges for Croton water in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }
{ NOES 5 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Baker, C. S. | Dougherty | McDonald | Skinner |
| Benedict, E. D. | Douglass | McTernan | Steele |
| Bennett | Duell | Mitchell | Tallmadge |
| Bradley | Duguid | Moors | Terpeny |
| Bridges | Ellis | Newman | Titus |
| Brodsky | Fish | Nowlan | Tozier |
| Carpenter, I. S. | Fiske | O'Connor | Travis |
| Case | Fitzgerald | Parker | Treanor |
| Chickering | Gibbs | Pitcher | Tully |
| Clark | Gillette | Rhodes | Tuthill, H. H. |
| Clowes | Gray | Root | Tuttle, R. M. |
| Cohen | Griggs | Russell | Van Valkenburgh |
| Cookinham | Grosse | Sanders | Varnum |
| Costello | Hayes | Seeley | Warner |
| Crapser | Howland | Shanley | Waterbury |
| Cullinan | Hurd | Sherman | Wells, D. A. |
| Curtis | Husted | Shuit | Wells, J. L. |
| Cushing | Kennedy | Sipp | Weston |
| Davis | Lefever | Sisson | Wren |
| Deane | McAvoy | | |

Those who voted in the negative, were

| | | | |
|-----------------|--------|--------|-------------|
| Alvord | Gwinup | McCabe | Slingerland |
| Benedict, T. E. | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }
{ NOES 3 }

Those who voted in the affirmative, were

| | | | |
|-----------------|------------|----------|---------------|
| Alvord | Cullinan | Kennedy | Sheridan |
| Andrews | Curtis | Liddle | Sipp |
| Baker, B. F. | Davis | Lindsay | Sisson |
| Beach | Deane | Low | Skinner |
| Beates | Dougherty | McAvoy | Slingerland |
| Benedict, E. D. | Duell | McCabe | Terpeny |
| Benedict, T. E. | Duguid | McCarthy | Terry |
| Bradley | Ellis | McDonald | Thilemann |
| Brennan | Fish | McTernan | Titus |
| Bridges | Fiske | Moors | Tormey |
| Brodsky | Fitzgerald | Morgan | Travis |
| Bullock | Gibbs | Nowlan | Treanor |
| Case | Gorsline | Parker | Tuttle, R. M. |
| Chase | Griggs | Peck | Varnum |
| Chickering | Grosse | Pitcher | Warner |
| Clanoy | Gwinup | Potts | Waterbury |
| Clark | Hayes | Roberts | Wells, D. A. |
| Clowes | Howland | Root | Wells, J. L. |

Cohen
Congdon
Costello

Hurd
Husted
Ingersoll

Russell
Seeley
Shanley

Weston
Wiley
Wren

Those who voted in the negative, were
Crapsier Lefever Sherman

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to provide for submitting a proposed amendment to the Constitution to the electors of the State," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }
{ NOES 6 }

Those who voted in the affirmative, were

Alvord
Andrews

Davis
Deane

Liddle
Lindsay

Seeley
Sheridan

Baker, B. F.

Douglass

McCabe

Shuit

Baker, O. S.

Duell

McCarthy

Sipp

Beach

Duguid

McDonald

Sisson

Beates

Evans

McTernan

Skinner

Bennett

Fish

Mitchell

Steele

Bradley

Fiske

Mooers

Tallmadge

Bridges

Fitzgerald

Morgan

Terpeny

Brodskey

Gibbs

Nowlan

Thilemann

Bullock

Gillette

O'Brien

Titus

Carpenter, E. A.

Gorsline

Peck

Tozier

Case

Gray

Phillips

Travis

Chase

Griggs

Pitcher

Treanor

Chickering

Grosse

Potter

Tuttle, R. M.

Childs

Hayes

Potts

Van Valkenburgh

Clowes

Hurd

Rhodes

Waterbury

Congdon

Husted

Roberts

Wells, D. A.

Cookinham

Ingersoll

Root

Wells, J. L.

Cullinan

Kennedy

Russell

Weston

Ourtis

Lefever

Sanders

Wren

Oushing

Those who voted in the negative, were

Cohen
Costello

Havens
Parker

Tormey

Walsh

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to provide for the rebuilding of the market known as Jefferson Market in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 76 }
{ NOES 11 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Davis | McCabe | Skinner |
| Baker, C. S. | Deane | McDonald | Slingerland |
| Beach | Douglass | Moers | Steele |
| Beates | Duguid | Morgan | Strait |
| Benedict, E. D. | Ellis | Newman | Tallmadge |
| Bradley | Fish | Nowlan | Terpeny |
| Bridges | Gillette | Pitcher | Terry |
| Brodsky | Gorsline | Rhodes | Thilemann |
| Bullock | Gray | Roberts | Titus |
| Carpenter, I. S. | Griggs | Root | Tormey |
| Case | Howland | Russell | Tozier |
| Chase | Hurd | Sanders | Travis |
| Chickering | Husted | Seeley | Van Valkenburgh |
| Clark | Ingersoll | Shanley | Walsh |
| Clowes | Kennedy | Sheridan | Warner |
| Congdon | Lefever | Sherman | Waterbury |
| Craper | Liddle | Shuit | Wells, D. A. |
| Cullinan | Lindsay | Sipp | Wells, J. L. |
| Curtis | Low | Sisson | Weston |

Those who voted in the negative, were

| | | | |
|-----------------|-----------|----------|---------|
| Benedict, T. E. | Dougherty | Mitchell | Peck |
| Cohen | Havens | O'Connor | Treanor |
| Costello | McAvoy | Parker | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend section 3 of chapter 582 of the Laws of 1864, entitled 'An act to amend an act entitled 'An act to authorize the formation of railroad corporations and to regulate the same,' passed April 2, 1850," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Davis | Liddle | Shanley |
| Baker, B. F. | Deane | Lindsay | Sheridan |
| Baker, C. S. | Douglass | Low | Sherman |
| Beach | Duell | McAvoy | Shuit |
| Beates | Duguid | McCabe | Sipp |
| Benedict, E. D. | Ellis | McCarthy | Sisson |
| Bennett | Evans | McDonald | Skinner |
| Bradley | Ferris | Mitchell | Slingerland |
| Bridges | Fish | Moers | Tallmadge |
| Brodsky | Fiske | Morgan | Terpeny |
| Bullock | Fitzgerald | Newman | Terry |
| Carpenter, E. A. | Gibbs | Nowlan | Thilemann |
| Chamberlain | Gillette | O'Brien | Tormey |
| Chase | Griggs | Parker | Tozier |
| Chickering | Grosse | Peck | Travis |
| Clark | Hayes | Pitcher | Treanor |
| Clowes | Howland | Potts | Van Valkenburgh |

| | | | |
|-----------|-----------|---------|--------------|
| Cohen | Hurd | Rhodes | Varnum |
| Cookinham | Husted | Roberts | Waterbury |
| Costello | Ingersoll | Root | Wells, D. A. |
| Crapser | Kennedy | Russell | Wells, J. L. |
| Curtis | Lefever | Seeley | Weston |
| Cushing | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 431 of the Laws of 1879, entitled 'An act requiring the commissioners of the town of Unadilla, in the county of Otsego, to pay over the surplus moneys or securities in their hands to the county treasurer to be used for the payment of taxes against said town,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }
{ NOES 4 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Baker, B. F. | Deane | McCarthy | Sisson |
| Baker, C. S. | Dougherty | McDonald | Skinner |
| Beach | Douglass | Miller | Slingerland |
| Beates | Duguid | Mooers | Steele |
| Benedict, E. D. | Ellis | Morgan | Terpeny |
| Benedict, T. E. | Fish | Nowlan | Terry |
| Bridges | Fitzgerald | O'Brien | Thilemann |
| Bullock | Gibbs | O'Connor | Titus |
| Carpenter, E. A. | Gorsline | Parker | Tormey |
| Carpenter, I. S. | Gray | Peck | Tozier |
| Case | Griggs | Pitcher | Travis |
| Chamberlain | Grosse | Potts | Van Valkenburgh |
| Chase | Gwinup | Roberts | Varnum |
| Chickering | Havens | Root | Waterbury |
| Clark | Lefever | Russell | Wells, D. A. |
| Clowes | Liddle | Seeley | Wells, J. L. |
| Cohen | Lindsay | Sheridan | Weston |
| Crapser | Low | Sherman | Wiley |
| Cullinan | McAvoy | Shuit | Wren |
| Curtis | McCabe | Sipp | |

Those who voted in the negative, were

| | | | |
|--------|---------|---------|--------|
| Alvord | Bradley | Cushing | Newman |
|--------|---------|---------|--------|

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 78 of the Laws of 1870, entitled 'An act to amend an act entitled 'An act requiring compensation for causing death by wrongful act, neglect or default,' passed December 13, 1847,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 68 }
{ NOES 16 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|-----------------|
| Baker, B. F. | Cookinham | Hagan | Rhodes |
| Baker, C. S. | Costello | Hayes | Root |
| Beach | Crapser | Hurd | Seeley |
| Beates | Cullinan | Ingersoll | Shanley |
| Benedict, E. D. | Cushing | Lindsay | Sheridan |
| Benedict, T. E. | Davis | McAvoy | Shuit |
| Bridges | Deane | McCarthy | Sisson |
| Brodsky | Dougherty | McDonald | Steele |
| Bullock | Douglass | Miller | Terpeny |
| Carpenter, E. A. | Duguid | Mooers | Terry |
| Case | Fish | Morgan | Thilemann |
| Chamberlain | Fiske | Nowlan | Tormey |
| Chase | Fitzgerald | O'Brien | Travis |
| Chickering | Gorsline | Parker | Treanor |
| Childs | Gray | Peck | Tully |
| Clancy | Grosse | Phillips | Van Valkenburgh |
| Cohen | Gwinup | Potts | Walsh |

Those who voted in the negative, were

| | | | |
|----------|---------|-----------|--------------|
| Alvord | Husted | Tallmadge | Waterbury |
| Bradley | Low | Titus | Wells, D. A. |
| Duell | Pitcher | Varnum | Weston |
| Gillette | Roberts | Warner | Wren |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the preservation of the public health in the city of New York," being announced for a third reading,

Mr. Varnum moved to amend said bill as follows:

In line 2, section 1, after the word "authorized" strike out the words "and directed."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 75 }
{ NOES 18 }

Those who voted in the affirmative, were

| | | | |
|-----------------|------------|----------|-----------------|
| Alvord | Davis | McDonald | Sisson |
| Andrews | Dougherty | McTernan | Steele |
| Baker, B. F. | Ellis | Mead | Tallmadge |
| Baker, C. S. | Fitzgerald | Miller | Terpeny |
| Beach | Gibbs | Mooers | Terry |
| Beates | Gorsline | Newman | Thilemann |
| Benedict, E. D. | Gray | Nowlan | Titus |
| Bennett | Grosse | O'Brien | Tormey |
| Bridges | Gwinup | O'Connor | Tozier |
| Brodsky | Hagan | Parker | Treanor |
| Case | Havens | Peck | Tully |
| Chamberlain | Hurd | Phillips | Van Valkenburgh |
| Chase | Husted | Potts | Walsh |

| | | | |
|----------|----------|---------|--------------|
| Childs | Kennedy | Rhodes | Warner |
| Clowes | Liddle | Roberts | Waterbury |
| Cohen | Lindsay | Root | Wells, J. L. |
| Costello | McAvoy | Shanley | Weston |
| Cullinan | McCabe | Shuit | Wiley |
| Cushing | McCarthy | Sipp | |

Those who voted in the negative, were

| | | | |
|------------------|----------|---------|---------------|
| Benedict, T. E. | Deane | Hayes | Slingerland |
| Bullock | Douglass | Low | Travis |
| Carpenter, E. A. | Duguid | Sherman | Tuttle, R. M. |
| Chickering | Fish | Skinner | Wells, D. A. |
| Curtis | Fiske | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned Assembly bill entitled "An act restricting and defining the powers of the board of estimate and apportionment in the city of New York, and regulating the expenditures of the amounts appropriated by said board," with a message that they have passed the same with amendments.

Mr. Cohen moved to recommit said bill to the committee on affairs of cities, with instructions to strike out the enacting clause.

Mr. Shanley moved to recommit said bill to the New York delegation with power to report complete at any time.

After debate,

Mr. Alvord moved the previous question.

Mr. Speaker put the question "Shall the main question now be put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Shanley, and it was determined in the negative.

{ AYES 29 }
{ NOES 80 }

Those who voted in the affirmative, were

| | | | |
|-----------------|------------|----------|-----------|
| Benedict, E. D. | Dougherty | McCarthy | Shanley |
| Benedict, T. E. | Ellis | McDonald | Sheridan |
| Bennett | Fitzgerald | McTernan | Thilemann |
| Catlin | Gibbs | Newman | Tormey |
| Clancy | Hagan | O'Connor | Treanor |
| Cohen | Havens | Parker | Walsh |
| Costello | McAvoy | Rhodes | Wiley |
| Cushing | | | |

Those who voted in the negative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Cookinham | Husted | Shuit |
| Andrews | Crapser | Lefever | Sipp |
| Baker, B. F. | Cullinan | Liddle | Sisson |
| Baker, C. S. | Curtis | Lindsay | Skinner |
| Beach | Deane | Low | Slingerland |
| Beates | Douglass | McCabe | Steele |
| Bradley | Duell | Miller | Tallmadge |
| Bridges | Duguid | Mitchell | Terry |
| Brodsky | Evans | Mooers | Titus |
| Bullock | Ferris | Morgan | Tozier |
| Carpenter, E. A. | Fish | Nowlan | Travis |
| Carpenter, I. S. | Fiske | Peck | Tuthill, H. H. |
| Case | Gillette | Phillips | Tuttle, R. M. |
| Chamberlain | Gorsline | Pitcher | Van Valkenburgh |

| | | | |
|------------|---------|---------|--------------|
| Chase | Griggs | Potts | Varnum |
| Chickering | Grosse | Roberts | Waterbury |
| Childs | Gwinup | Root | Wells, D. A. |
| Clark | Hayes | Russell | Wells, J. L. |
| Clowes | Howland | Seeley | Weston |
| Congdon | Hurd | Sherman | Wren |

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Cohen, and it was determined in the negative.

{ AYES 23 }
{ NOES 81 }

Those who voted in the affirmative, were

| | | | |
|-----------------|------------|----------|-----------|
| Benedict, E. D. | Dougherty | McTernan | Thilemann |
| Catlin | Fitzgerald | Mead | Tormey |
| Clancy | Gibbs | Newman | Treanor |
| Cohen | McAvoy | O'Connor | Walsh |
| Costello | McCarthy | Rhodes | Wiley |
| Cushing | McDonald | Sheridan | |

Those who voted in the negative, were

| | | | |
|------------------|----------|----------|-----------------|
| Alvord | Cullinan | Howland | Seeley |
| Andrews | Curtis | Hurd | Sherman |
| Baker, B. F. | Davis | Husted | Shuit |
| Baker, C. S. | Deane | Kennedy | Sipp |
| Beach | Douglass | Lefever | Sisson |
| Beates | Duell | Liddle | Skinner |
| Benedict, T. E. | Duguid | Lindsay | Slingerland |
| Bradley | Ellis | Low | Steele |
| Bridges | Evans | McCabe | Terry |
| Brodsky | Ferris | Miller | Travis |
| Bullock | Fish | Mitchell | Tuthill, H. H. |
| Carpenter, E. A. | Fiske | Mooers | Tuttle, R. M. |
| Carpenter, I. S. | Gillette | Morgan | Van Valkenburgh |
| Chase | Gorsline | Nowlan | Varnum |
| Chickering | Griggs | Parker | Warner |
| Childs | Grosse | Peck | Waterbury |
| Clowes | Gwinup | Phillips | Wells, D. A. |
| Congdon | Hagan | Roberts | Wells, J. L. |
| Cookinham | Havens | Root | Weston |
| Crapser | Hayes | Russell | Wren |

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative.

{ AYES 73 }
{ NOES 27 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|---------------|
| Alvord | Cookinham | Husted | Seeley |
| Andrews | Crapser | Ingersoll | Sherman |
| Baker, B. F. | Cullinan | Kennedy | Sipp |
| Baker, C. S. | Curtis | Lefever | Sisson |
| Beach | Davis | Lindsay | Skinner |
| Beates | Deane | Low | Steele |
| Bradley | Douglass | McCabe | Terry |
| Bridges | Duell | Miller | Titus |
| Brodsky | Duguid | Mitchell | Tozier |
| Bullock | Ferris | Mooers | Travis |
| Carpenter, E. A. | Fish | Morgan | Tuttle, R. M. |

| | | | |
|-------------|----------|----------|--------------|
| Case | Fiske | Nowlan | Varnum |
| Chamberlain | Gillette | Peck | Waterbury |
| Chase | Gorsline | Phillips | Wells, D. A. |
| Chickering | Griggs | Pitcher | Wells, J. L. |
| Childs | Hayes | Potts | Weston |
| Clark | Howland | Root | Wren |
| Clowes | Hurd | Russell | Mr. Speaker |
| Congdon | | | |

Those who voted in the negative, were

| | | | |
|-----------------|------------|----------|-----------|
| Benedict, T. E. | Dougherty | McDonald | Sheridan |
| Bennett | Fitzgerald | McTernan | Thilemann |
| Catlin | Gibbs | Mead | Tormey |
| Clanoy | Hagan | Newman | Treanor |
| Cohen | Havens | O'Connor | Walsh |
| Costello | McAvoy | Parker | Wiley |
| Cushing | McCarthy | Shanley | |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The bill entitled "An act for the protection of laborers and persons furnishing materials and supplies in procuring logs and timber from the woodlands and forests of this State," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 67 }
{ NOES 10 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Crapsier | Howland | Sheridan |
| Baker, C. S. | Cullinan | Kennedy | Sherman |
| Beach | Curtis | Liddle | Shuit |
| Beates | Cushing | Lindsay | Sipp |
| Benedict, E. D. | Davis | Low | Sisson |
| Benedict, T. E. | Deane | McAvoy | Skinner |
| Bennett | Dougherty | McDonald | Steele |
| Bradley | Douglass | McTernan | Thilemann |
| Brodsky | Duell | Miller | Treanor |
| Bullock | Ellis | Parker | Tuthill, H. H. |
| Carpenter, I. S. | Ferris | Phillips | Walsh |
| Case | Fish | Pitcher | Waterbury |
| Chamberlain | Gillette | Rhodes | Wells, D. A. |
| Childs | Gorsline | Roberts | Weston |
| Cohen | Griggs | Russell | Wiley |
| Congdon | Havens | Seeley | Wren |
| Cookinham | Hayes | Shanley | |

Those who voted in the negative, were

| | | | |
|----------|-------|--------|-----------------|
| Catlin | Moors | Tormey | Tuttle, R. M. |
| Evans | Potts | Travis | Van Valkenburgh |
| Mitchell | Terry | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned Assembly bill entitled "An act relating to fees, percentages and allowances of public officers a burden upon a charge against the various cities of this State," with a message that they have concurred in the passage of the same, with the following amendments:

Strike out all after the enacting clause and insert as follows :

Section 1. The commissioners of the sinking fund of the city of New York, for the redemption of the city debt when duly authorized by ordinance of the common council may, by concurrent resolution, direct that the bonds and stocks of said city hereafter issued pursuant to law, shall be exempt from taxation by said city and by the county of New York, but not from taxation for State purposes; and all bonds and stocks issued pursuant to such authority, shall be exempt from taxation accordingly; provided, that said bonds and stocks shall not bear interest exceeding the rate of four and one-half per centum per annum.

§ 2. The bonds and stocks of the city of New York issued pursuant to the provisions of this statute shall express upon their face the fact that they are exempt from taxation by the city and county of New York, but not from State taxation, and shall refer to this act and to the ordinance of the common council, and the resolution of the commissioners of the sinking fund authorizing their issue.

§ 3. This act shall take effect immediately.

Amend the title so as to read as follows :

"An act to authorize the issue of certain bonds and stocks of the city of New York exempt from taxation."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative.

{ AYES 69 }
{ NOES 12 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Baker, B. F. | Curtis | Kennedy | Russell |
| Baker, O. S. | Cushing | Lefever | Seeley |
| Beach | Davis | Liddle | Shanley |
| Beates | Deane | Lindsay | Shuit |
| Benedict, E. D. | Dougherty | Low | Sisson |
| Benedict, T. E. | Duell | McAvoy | Skinner |
| Bradley | Ellis | McCarthy | Steele |
| Bridges | Evans | McDonald | Thilemann |
| Brodsay | Ferris | McTernan | Tozier |
| Bullock | Fish | Mitchell | Travis |
| Carpenter, E. A. | Fiske | Morgan | Treanor |
| Catlin | Fitzgerald | Parker | Van Valkenburgh |
| Chase | Griggs | Phillips | Varnum |
| Clancy | Gwinup | Pitcher | Waterbury |
| Clark | Hagan | Potts | Wells, J. L. |
| Clowes | Havens | Roberts | Wiley |
| Crapser | Hayes | Root | Wren |
| Cullinan | | | |

Those who voted in the negative, were

| | | | |
|------------------|-----------|----------|--------|
| Alvord | Congdon | Gillette | McCabe |
| Carpenter, I. S. | Cookinham | Grosse | Miller |
| Cohen | Douglass | Howland | Nowlan |

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act to provide for the taxation of life insurance companies," with a message that the vote on the final passage of said bill had been reconsidered, amendments of the Assembly concurred in, and said bill passed with the following additional amendments:

Section 1, line 10, engrossed bill, strike out all after the word "company" and insert as follows: "during the year ending the preceding thirty-first day of December from persons residing in this State, or investments represented by or based upon property situated in this State."

Section 2, in line 5, strike out all after the word "premiums" and insert as follows: "interest and other income, exclusive of rents received by such company during the year ending the preceding thirty-first day of December, from persons residing in this State or investments represented by or based upon property situated in this State."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }
{ NOES 2 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|-----------------|
| Alvord | Clark | Grosse | Seeley |
| Andrews | Olowes | Gwinup | Shanley |
| Baker, B. F. | Cohen | Hagan | Sherman |
| Baker, C. S. | Cookinham | Havens | Shuit |
| Beach | Oullinan | Hayes | Sipp |
| Beates | Curtis | Howland | Sisson |
| Benedict, E. D. | Davis | Hurd | Skinner |
| Benedict, T. E. | Deane | Liddle | Slingerland |
| Bennett | Douglass | Lindsay | Terry |
| Bradley | Duell | McCabe | Thilemann |
| Bridges | Duguid | Miller | Tozier |
| Brodsky | Ellis | Mitchell | Treanor |
| Bullock | Evans | Mooers | Tuthill, H. H. |
| Carpenter, E. A. | Ferrir | Morgan | Van Valkenburgh |
| Carpenter, I. S. | Fish | Nowlan | Walsh |
| Case | Fiske | Peck | Waterbury |
| Chamberlain | Fitzgerald | Phillips | Wells, D. A. |
| Chase | Gibbs | Potts | Wells, J. L. |
| Chickering | Gillette | Roberts | Wiley |
| Childs | Gorsline | Root | Wren |
| Clanoy | Griggs | Russell } | |

Those who voted in the negative, were

Catlin Varnum

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

Mr. Alvord in the Chair.

Mr. C. S. Baker moved a call of the House.

The Speaker directed the Sergeant-at-Arms to clear the chamber of all persons not members, officers and reporters, and to see that the doors are properly guarded, and to allow no one to leave or enter the Chamber.

Mr. Speaker then directed the Clerk to call the roll of members and the following members answered to their names:

| | | | |
|--------------|-----------|---------|----------|
| Alvord | Cookinham | Lefever | Shanley |
| Andrews | Oullinan | Liddle | Sheridan |
| Baker, B. F. | Curtis | Lindsay | Sherman |
| Baker, C. S. | Davis | McAvoy | Shuit |

| | | | |
|------------------|------------|----------|-----------------|
| Beach | Deane | McCabe | Sipp |
| Beates | Dougherty | McCarthy | Sisson |
| Benedict, E. D. | Douglass | McDonald | Skinner |
| Benedict, T. E. | Duell | Miller | Steele |
| Bennett | Ellis | Mitchell | Terry |
| Bradley | Evans | Moore | Thilemann |
| Bridges | Ferris | Morgan | Torney |
| Brodsky | Fish | Newman | Tozier |
| Bullock | Fiske | Nowlan | Travis |
| Carpenter, E. A. | Fitzgerald | O'Connor | Treanor |
| Carpenter, I. S. | Gibbs | Parker | Tuthill, H. H. |
| Case | Gillette | Peck | Van Valkenburgh |
| Catlin | Gorsline | Phillips | Varnum |
| Chamberlain | Grosse | Pitcher | Walsh |
| Chase | Gwinup | Potts | Waterbury |
| Chickering | Hagan | Rhodes | Wells, D. A. |
| Childs | Havens | Roberts | Wells, J. L. |
| Clancy | Hayes | Root | Wiley |
| Clark | Howland | Russell | Wren |
| Cohen | Hurd | Seeley | Mr. Speaker |
| Congdon | Kennedy | | |

98

Mr. Newman moved that the Speaker issue his warrant to the Sergeant-at-Arms, and he be directed to bring the members who are absent before the bar of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Sharpe moved that the members who are absent shall be brought before the bar of the House in the custody of the Sergeant-at-Arms, and they should state why they should not be declared in contempt, and that the call be suspended and the House proceed to the regular order of business.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

A message from the Senate was received in the words following:

IN SENATE, *May 26, 1880.*

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to amend chapter 291 of the Laws of 1867, entitled 'An act to incorporate the city of Binghamton.'"

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Halbert, and by unanimous consent, the same was amended as follows:

Section 1, line 17, strike out after the word "powers" the balance of the section and insert the following: "after the expiration of the terms of service of the justices of the peace now in office, the fees of the justice for the trial of an issue of fact where the defendant shall appear and answer shall be the sum of two dollars."

And as amended, passed, re-engrossed and ordered sent to the Assembly for concurrence.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Curtis | Liddle | Shanley |
| Andrews | Davis | Lindsay | Sheridan |
| Baker, B. F. | Deane | McAvoy | Sherman |
| Baker, C. S. | Douglass | McCabe | Shuit |
| Beates | Ellis | McCarthy | Sipp |
| Benedict, E. D. | Evans | McDonald | Sisson |
| Benedict, T. E. | Ferris | Miller | Skinner |
| Bradley | Fish | Mitchell | Steele |
| Bridges | Fiske | Mooers | Terry |
| Brodsky | Fitzgerald | Morgan | Thilemann |
| Bullock | Gibbs | Newman | Tormey |
| Carpenter, I. S. | Gillette | Nowlan | Tozier |
| Case | Gorsline | O'Connor | Travis |
| Catlin | Grosse | Phillips | Tuthill, H. H. |
| Chickering | Gwinup | Pitcher | Van Valkenburgh |
| Childs | Hagan | Potts | Walsh |
| Clancy | Havens | Rhodes | Waterbury |
| Clark | Hayes | Roberts | Wells, D. A. |
| Cohen | Howland | Root | Wells, J. L. |
| Cookinham | Hurd | Russell | Wiley |
| Cullinan | Kennedy | Seesley | Wren |

Those who voted in the negative, were

Peck

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }
{ NOES 4 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|--------------|
| Alvord | Cushing | Liddle | Seesley |
| Andrews | Davis | Lindsay | Shanley |
| Baker, B. F. | Deane | McAvoy | Sherman |
| Baker, C. S. | Douglass | McCabe | Shuit |
| Beach | Ellis | McTernan | Sisson |
| Beates | Evans | Miller | Skinner |
| Benedict, E. D. | Ferris | Mitchell | Steele |
| Bradley | Fish | Mooers | Terry |
| Bridges | Fiske | Morgan | Thilemann |
| Brodsky | Fitzgerald | Newman | Tozier |
| Bullock | Gibbs | Nowlan | Travis |
| Carpenter, E. A. | Gillette | Phillips | Treanor |
| Carpenter, I. S. | Gorsline | Pitcher | Tully |
| Case | Grosse | Potts | Varnum |
| Catlin | Hagan | Rhodes | Warner |
| Chase | Hayes | Roberts | Wells, D. A. |
| Childs | Howland | Root | Wells, J. L. |
| Clowes | Kennedy | Russell | Wren |
| Cullinan | Lefever | Sanders | Youngs |
| Ourtis | | | |

Those who voted in the negative, were

| | | | |
|-----------|---------|--------|--------|
| Cookinham | Crapser | Havens | Parker |
|-----------|---------|--------|--------|

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Sergeant-at-Arms appeared before the bar of the House having in charge Mr. McTernan.

After rendering his excuse,

Mr. Steele moved that he be purged of his contempt.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Sergeant-at-Arms appeared having in custody Mr. Crapser.

After rendering his excuse,

Mr. C. S. Baker moved that he be fined \$50.

Mr. Varnum moved that he be fined \$25.

Mr. Morgan moved that he be excused.

Mr. Speaker put the question whether the House would agree to the motion of Mr. C. S. Baker, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Varnum, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Morgan, and it was determined in the affirmative.

The Sergeant-at-Arms appeared having in custody Mr. Cushing.

After rendering his excuse,

Mr. Steele moved that he be purged of his contempt.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Sergeant-at-Arms appeared having in custody Mr. Griggs.

After rendering his excuse,

Mr. Peck moved that he be excused.

Mr. C. S. Baker moved that he be fined \$100.

Mr. Speaker put the question whether the House would agree to the motion of Mr. C. S. Baker, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Peck, and it was determined in the affirmative.

The Sergeant-at-Arms appeared having in custody Mr. Youngs.

After rendering his excuse,

On motion of Mr. Varnum he was excused.

The Sergeant-at-Arms appeared having in custody Mr. Clowes.

After rendering his excuse,

On motion of Mr. C. S. Baker he was excused.

The Sergeant-at-Arms appeared before the bar of the House having in custody Messrs. Tallmadge, Duguid, Tuttle, Low and Terpeny.

After rendering their excuses,

They were excused.

Mr. Varnum moved to lay the present order of business upon the table for the purpose of going into committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

A message was received from the Senate in words following:

IN SENATE, May 24, 1880.

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to amend chapter 176 of the Laws of 1872, entitled 'An act in relation to the village of Canandaigua, and to provide a police justice and a police

constable in said village and defining their jurisdiction, power and duties.'"

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Lord, and by unanimous consent, the same was amended as follows:

Strike out sections 1 and 2 of said bill. Make section 3 section 1 and amend the same as follows:

Line 1, strike out said act and insert chapter 176 of the Laws of 1872, entitled "An act in relation to the village of Canandaigua, and to provide a police justice and police constable in said village, and defining their jurisdiction, power and duties," is hereby amended so as to read as follows:

Line 15, after word "officer" insert "hereafter elected."

Change section 4 to section 2.

And as amended passed, re-engrossed and ordered sent to the Assembly for concurrence.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 5 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Cullinan | Lefever | Shuit |
| Andrews | Curtis | Liddle | Sipp |
| Baker, B. F. | Davis | Lindsay | Sisson |
| Baker, C. S. | Deane | McAvoy | Skinner |
| Beach | Douglass | Miller | Steele |
| Beates | Duell | Mitchell | Strait |
| Benedict, T. E. | Ellis | Mooers | Tallmadge |
| Bradley | Evans | Morgan | Terpeny |
| Bridges | Fiske | Nowlan | Terry |
| Brodsky | Fitzgerald | Phillips | Tormey |
| Bullock | Gillette | Pitcher | Tozier |
| Carpenter, I. S. | Gorsline | Potts | Travis |
| Case | Griggs | Rhodes | Tuthill, H. H. |
| Catlin | Gwinup | Roberts | Tuttle, R. M. |
| Chamberlain | Hagan | Root | Varnum |
| Chase | Havens | Russell | Waterbury |
| Clancy | Hayes | Seeley | Wells, D. A. |
| Clark | Howland | Shanley | Wells, J. L. |
| Clowes | Hurd | Sheridan | Wiley |
| Congdon | Kennedy | Sherman | Youngs |
| Cookinham | | | |

Those who voted in the negative, were

| | | | |
|---------|---------|--------|------|
| Cohen | Cushing | Grosse | Peck |
| Crapser | | | |

Mr. Case moved to concur in the amendments of the Senate with the further following amendment:

Section 1, engrossed bill, line 28, strike out all after the word "person" and insert the following:

"Any officer hereafter elected or person serving notice to dealers in intoxicating liquors within the corporate limits of said village, prohibiting the selling or giving away of the same, in accordance

with the provisions of section 19 of an act entitled 'An act to suppress intemperance and regulate the sale of intoxicating liquors,' passed April 16, 1857, shall be entitled to receive for serving each notice so served by him, 6 cents only and no allowance for mileage; which fee shall be a legal and proper charge against the town of Canandaigua, payable as other town charges are paid."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 3 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Crapser | Havens | Seeley |
| Baker, B. F. | Cullinan | Howland | Sheridan |
| Baker, C. S. | Curtis | Hurd | Sherman |
| Beates | Cushing | Kennedy | Shuit |
| Benedict, E. D. | Davis | Lefever | Sipp |
| Benedict, T. E. | Deane | Liddle | Sissor |
| Bradley | Douglass | Lindsay | Skinner |
| Bridges | Duell | McAvoy | Steele |
| Bullock | Ellis | McCabe | Terry |
| Carpenter, E. A. | Evans | Miller | Tormey |
| Carpenter, I. S. | Ferris | Mitchell | Tozier |
| Case | Fish | Mooers | Treanor |
| Catlin | Fiske | Morgan | Tuthill, H. H. |
| Chamberlain | Fitzgerald | O'Connor | Tuttle, R. M. |
| Chase | Gibbs | Phillips | Van Valkenburgh |
| Chickering | Gillette | Potts | Waterbury |
| Childs | Gorsline | Rhodes | Wells, D. A. |
| Clark | Griggs | Roberts | Wells, J. L. |
| Clowes | Grosse | Root | Wiley |
| Congdon | Hagan | Russell | Youngs |
| Cookinham | | | |

Those who voted in the negative, were

| | | |
|-------|-------|------|
| Beach | Cohen | Peck |
|-------|-------|------|

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

By unanimous consent,

Mr. McCarthy offered for the consideration of the House a resolution in the words following:

Resolved, That all orders down to general orders be laid upon the table for the purpose of going in committee of the whole upon Assembly bill No. 511, general orders 586, entitled "An act in relation to the employment of convicts confined in the State prisons of this State."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

{ AYES 42 }
{ NOES 58 }

Those who voted in the affirmative, were

| | | | |
|-----------------|--------|----------|-----------|
| Benedict, E. D. | Gibbs | McDonald | Tallmadge |
| Bradley | Grosse | McTeruan | Tormey |

| | | | |
|-------------|----------|----------|--------------|
| Oatlin | Gwinup | O'Connor | Travis |
| Chamberlain | Hagan | Parker | Treanor |
| Clancy | Havens | Peck | Walsh |
| Clark | Hayes | Phillips | Waterbury |
| Cohen | Kennedy | Rhodes | Wells, J. L. |
| Cushing | Liddle | Russell | Wiley |
| Dougherty | Lindsay | Shanley | Wren |
| Duell | McAvoy | Sheridan | Youngs |
| Fitzgerald | McCarthy | | |

Those who voted in the negative, were

| | | | |
|------------------|-----------|----------|----------------|
| Alvord | Congdon | Griggs | Seeley |
| Andrews | Cookinham | Howland | Sherman |
| Baker, B. F. | Crapser | Hurd | Shuit |
| Baker, C. S. | Curtis | Lefever | Sipp |
| Beach | Davis | Low | Sisson |
| Beates | Deane | McCabe | Skinner |
| Benedict, T. E. | Douglass | Miller | Steele |
| Bridges | Duguid | Mitchell | Terry |
| Bullock | Ellis | Mooers | Tozier |
| Carpenter, I. S. | Evans | Nowlan | Tuthill, H. H. |
| Case | Ferris | Pitcher | Tuttle, R. M. |
| Chase | Fish | Potts | Van Valkenburg |
| Chickering | Fiske | Roberts | Varnum |
| Childs | Gillette | Root | Wells, D. A. |
| Clowes | Gorsline | | |

The Senate returned Assembly bill entitled "An act to compel the maintenance of certain lights on draw bridges across the Hudson river," with a message that they have concurred in the same.

Senate bill entitled "An act to amend chapter 613 of the Laws of 1857, entitled 'An act to amend an act entitled 'An act to incorporate the village of Kinderhook in the county of Columbia,' passed April 8, 1838," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Congdon | Howland | Shanley |
| Andrews | Cookinham | Kennedy | Sheridan |
| Baker, B. F. | Crapser | Lefever | Sherman |
| Baker, C. S. | Cullinan | Liddle | Shuit |
| Beach | Curtis | Lindsay | Sipp |
| Beates | Davis | Low | Sisson |
| Bennett | Deane | McAvoy | Skinner |
| Bradley | Douglass | McCabe | Steele |
| Bridges | Duell | McCarthy | Tallmadge |
| Brodsky | Duguid | Miller | Terry |
| Bullock | Evans | Mitchell | Tormey |
| Carpenter, E. A. | Ferris | Mooers | Tozier |
| Carpenter, I. S. | Fish | Morgan | Treanor |
| Case | Fitzgerald | Nowlan | Tuthill, H. H. |
| Oatlin | Gibbs | Pitcher | Tuttle, R. M. |
| Chamberlain | Gillette | Potts | Waterbury |
| Chase | Gorsline | Rhodes | Wells, D. A. |
| Chickering | Griggs | Roberts | Wells, J. L. |

| | | | |
|--------|---------|---------|--------|
| Clark | Grosse | Root | Wren |
| Clowes | Gwinup] | Russell | Youngs |
| Cohen | Hayes | Seeley | |

Those who voted in the negative, were

Peck

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

A message was received from the Senate in words following:

IN SENATE, May 25, 1880.

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to revise and amend title 11 of chapter 291, Laws of 1876, entitled 'An act to incorporate the city of Binghamton, and the several acts amendatory thereof.'"

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Halbert, and by unanimous consent, the same was amended as follows:

Section 1, line 19, strike out the word "exempting" and insert "excepting."

And as amended, passed, re-engrossed and ordered sent to the Assembly for concurrence.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Davis | Low | Sheridan |
| Andrews | Deane | McAvoy | Sherman |
| Baker, B. F. | Dougherty | McCabe | Shuit |
| Baker, C. S. | Douglass | McCarthy | Sipp |
| Beach | Duell | McDonald | Sisson |
| Beates | Duguld | McTernan | Skinner |
| Bradley | Ellis | Mead | Steele |
| Bridges | Evans | Miller | Tallmadge |
| Brodsky | Ferris | Mitchell | Terpeny |
| Bullock | Fish | Mooers | Terry |
| Carpenter, E. A. | Fiske | Morgan | Thilemann |
| Carpenter, I. S. | Fitzgerald | Newman | Tormey |
| Case | Gillette | Nowlan | Tozier |
| Catlin | Gorsline | Peck | Travis |
| Chamberlain | Griggs | Pitcher | Treanor |
| Chase | Grosse | Potts | Tuthill, H. H. |
| Chickering | Gwinup | Rhodes | Tuttle, R. M. |
| Clark | Hayes | Roberts | Waterbury |
| Clowes | Howland | Root | Wells, D. A. |
| Cohen | Kennedy | Russell | Wells, J. L. |
| Oongdon | Lefever | Sanders | Wiley |
| Cookinham | Liddle | Seeley | Wren |
| Cullinan | Lindsay | Shanley | Youngs |
| Curtis | | | |

Those who voted in the negative, were

Walsh

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }
{ NOES 3 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|----------|----------------|
| Alvord | Cushing | Liddle | Seeley |
| Andrews | Davis | Lindsay | Shanley |
| Baker, B. F. | Deane | Low | Sherman |
| Baker, C. S. | Douglass | McAvoy | Shuit |
| Beach | Duell | McCabe | Sipp |
| Beates | Duguid | McCarthy | Sisson |
| Bradley | Ellis | McDonald | Skinner |
| Bridges | Evans | Mead | Steele |
| Bullock | Ferris | Miller | Tallmadge |
| Carpenter, E. A. | Fish | Mitchell | Terpeny |
| Carpenter, I. S. | Fiske | Mooers | Terry |
| Case | Gillette | Morgan | Tozier |
| Oatlin | Gorsline | Nowlan | Travis |
| Chase | Grosse | Potts | Tuthill, H. H. |
| Chickering | Gwinup | Rhodes | Tuttle, R. M. |
| Congdon | Hayes | Roberts | Waterbury |
| Cookinham | Howland | Root | Wells, D. A. |
| Crapser | Hurd | Russell | Wells, J. L. |
| Cullinan | Lefever | Sanders | Wren |
| Curtis | | | |

Those who voted in the negative, were

| | | |
|------|-------|--------|
| Peck | Walsh | Youngs |
|------|-------|--------|

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

A message was received from the Senate in words following:

IN SENATE, *May 25, 1880.*

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act for the better preservation of trees and shrubbery on the islands in Lake George."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Rockwell, and by unanimous consent, the same was amended as follows:

Section 1, line 4, after the words "Lake George" insert "belonging to the State;" same section, line 5, after the word "building" insert "thereon."

And as amended, passed, re-engrossed and ordered sent to the Assembly for concurrence.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }
{ NOES 13 }

Those who voted in the affirmative, were

| | | | |
|---------|-------|--------|-------|
| Alvord | Davis | Low | Shuit |
| Andrews | Deane | McAvoy | Sipp |

| | | | |
|------------------|------------|----------|-----------------|
| Baker, B. F. | Dougherty | McCabe | Sisson |
| Baker, C. S. | Douglass | McDonald | Skinner |
| Beach | Duguid | Miller | Steele |
| Beates | Evans | Mitchell | Tallmadge |
| Bradley | Ferris | Moors | Terpeny |
| Bridges | Fish | Newman | Terry |
| Brodsky | Fiske | Nowlan | Thilemann |
| Bullock | Fitzgerald | Pitcher | Tozier |
| Carpenter, E. A. | Gibbs | Potts | Travis |
| Oase | Gillette | Roberts | Tuthill, H. H. |
| Chamberlain | Gorsline | Root | Tuttle, R. M. |
| Chase | Gwinup | Russell | Van Valkenburgh |
| Chickering | Hayes | Sanders | Varnum |
| Childs | Hurd | Seeley | Waterbury |
| Clark | Kennedy | Shanley | Wells, D. A. |
| Cookinham | Lefever | Sheridan | Wells, J. L. |
| Curtis | Liddle | Sherman | Younge |
| Cushing | Lindsay | | |

Those who voted in the negative, were

| | | | |
|-----------------|---------|----------|--------|
| Benedict, E. D. | Crapser | McTernan | Peck |
| Benedict, T. E. | Grosse | O'Connor | Tormey |
| Bennett | Havens | Parker | Walsh |
| Cohen | | | |

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 76 }
{ NOES 13 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|----------|-----------------|
| Alvord | Curtis | McDonald | Sisson |
| Andrews | Cushing | Miller | Skinner |
| Baker, B. F. | Davis | Mitchell | Steele |
| Baker, C. S. | Douglass | Moors | Tallmadge |
| Beach | Duguid | Morgan | Terpeny |
| Beates | Evans | Newman | Terry |
| Benedict, E. D. | Ferris | Nowlan | Thilemann |
| Bradley | Fish | Phillips | Tozier |
| Bridges | Fiske | Pitcher | Travis |
| Brodsky | Gillette | Potts | Tuthill, H. H. |
| Bullock | Grosse | Rhodes | Tuttle, R. M. |
| Carpenter, E. A. | Gwinup | Roberts | Van Valkenburgh |
| Oase | Hayes | Root | Varnum |
| Catlin | Hurd | Russell | Warner |
| Chase | Kennedy | Seeley | Waterbury |
| Chickering | Liddle | Shanley | Wells, D. A. |
| Clark | Lindsay | Sherman | Wells, J. L. |
| Congdon | Low | Shuit | Wren |
| Cookinham | McCabe | Sipp | Younge |

Those who voted in the negative, were

| | | | |
|-----------------|----------|----------|---------|
| Benedict, T. E. | Crapser | O'Connor | Tormey |
| Bennett | Griggs | Parker | Treanor |
| Chamberlain | McTernan | Peck | Walsh |
| Cohen | | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

A message was received from the Senate in words following :

IN SENATE, *May 25, 1880.*

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to secure the payment of mechanics, laborers and workmen who perform work, also persons furnishing materials toward the erection, altering or repairing buildings, wharves, vaults or any other structures in the cities of the State of New York."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Fowler, and by unanimous consent, the same was amended as follows:

Section 1, line 44, after the word "judgment" strike out the balance of the section.

And as amended, passed, re-engrossed and ordered sent to the Assembly for concurrence.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }
{ NOES 5 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Curtis | Lindsay | Sipp |
| Andrews | Davis | Low | Sisson |
| Baker, B. F. | Dougherty | McCabe | Skinner |
| Baker, C. S. | Douglass | McCarthy | Steele |
| Beach | Duguid | McDonald | Tallmadge |
| Beates | Ellis | Miller | Terpeny |
| Benedict, E. D. | Evans | Moers | Terry |
| Benedict, T. E. | Ferris | Newman | Thilemann |
| Bennett | Fish | Nowlan | Tozier |
| Bridges | Fiske | O'Connor | Travis |
| Brodsky | Fitzgerald | Phillips | Treanor |
| Carpenter, E. A. | Gibbs | Pitcher | Tuttle, R. M. |
| Case | Gillette | Rhodes | Van Valkenburgh |
| Chamberlain | Grosse | Roberts | Varnum |
| Chase | Gwinup | Russell | Waterbury |
| Clark | Hayes | Seeley | Wells, D. A. |
| Cohen | Hurd | Shanley | Wells, J. L. |
| Cookinham | Kennedy | Sheridan | Wren |
| Crapser | Lefever | Sherman | Youngs |
| Oullinan | Liddle | Shuit | |

Those who voted in the negative, were

| | | | |
|------------|------|--------|-------|
| Chickering | Peck | Tormey | Walsh |
| Mitchell | | | |

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|--------------|----------|----------|---------|
| Alvord | Douglass | McCabe | Sisson |
| Andrews | Duguid | McCarthy | Skinner |
| Baker, B. F. | Ellis | McDonald | Steele |

| | | | |
|-----------------|------------|----------|-----------------|
| Baker, O. S. | Evans | Miller | Tallmadge |
| Beach | Ferris | Moors | Terpeny |
| Beates | Fish | Morgan | Terry |
| Benedict, T. E. | Fiske | Newman | Thilemann |
| Bennett | Fitzgerald | Nowlan | Tormey |
| Bradley | Gibbs | Parker | Tozier |
| Brodsky | Gillette | Phillips | Travis |
| Bullock | Gorsline | Pitcher | Treanor |
| Chase | Griggs | Potts | Tuthill, H.-H. |
| Chickering | Grosse | Rhodes | Tuttle, R. M. |
| Clancy | Havens | Roberts | Van Valkenburgh |
| Clark | Hayes | Sanders | Varnum |
| Clowes | Howland | Seeley | Waterbury |
| Cookinham | Hurd | Shanley | Wells, D. A. |
| Crapsier | Kennedy | Sheridan | Wells, J. L. |
| Curtis | Lefever | Sherman | Weston |
| Davis | Liddle | Shuit | Wren |
| Deane | Low | Sipp | Youngs |
| Dougherty | | | |

Those who voted in the negative, were

Walsh

Ordered, That the Clerk deliver said bill to the Senate, with a message informing of concurrence in their amendments.

The Sergeant-at-Arms appeared before the bar of the House having in custody Messrs. Titus, Weston and Meade.

After having made their excuses,

On motion of Mr. C. S. Baker they were excused.

A message was received from the Senate in words following :

IN SENATE, May 25, 1880.

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to enforce the assessments of shareholders in banking associations to make good a deficit in capital."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Wendover, and by unanimous consent, the same was amended as follows:

Section 2, line 3, strike out "sixty days" and insert "six months." Same section, line 6, strike out "two" and insert "four."

And as amended, passed, and ordered sent to the Assembly for concurrence.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }
{ NOES 7 }

Those who voted in the affirmative, were

| | | | |
|-----------------|----------|----------|-----------|
| Alvord | Curtis | McCarthy | Steele |
| Andrews | Davis | Miller | Tallmadge |
| Baker, B. F. | Deane | Mitchell | Terpeny |
| Baker, C. S. | Douglass | Moors | Terry |
| Beach | Duguid | Morgan | Thilemann |
| Beates | Evans | Newman | Titus |
| Benedict, E. D. | Ferris | Nowlan | Tormey |
| Bradley | Fish | Potts | Tozier |
| Bridges | Fiske | Rhodes | Travis |

| | | | |
|-------------|------------|----------|-----------------|
| Brodsky | Fitzgerald | Roberts | Treanor |
| Bullock | Gillette | Root | Tuthill, H. H. |
| Case | Gorsline | Russell | Tuttle, R. M. |
| Catlin | Havens | Sanders | Van Valkenburgh |
| Chamberlain | Howland | Seeley | Varnum |
| Chase | Hurd | Shanley | Waterbury |
| Chickering | Kennedy | Sheridan | Wells, D. A. |
| Clowes | Lefever | Sherman | Wells, J. L. |
| Congdon | Liddle | Shuit | Weston |
| Cookinham | Lindsay | Sipp | Wren |
| Crapser | Low | Sisson | Youngs |
| Cullinan | McCabe | Skinner | |

Those who voted in the negative, were

| | | | |
|-----------------|----------|---------|-------|
| Benedict, T. E. | McTernan | Parker | Walsh |
| Gwinup | O'Connor | Pitcher | |

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }
{ NOES 2 }

Those who voted in the affirmative, were

| | | | |
|--------------|-----------|----------|-----------------|
| Alvord | Dougherty | McCabe | Sisson |
| Andrews | Douglass | McDonald | Skinner |
| Baker, B. F. | Duguid | McTernan | Steele |
| Baker, C. S. | Ellis | Mead | Tallmadge |
| Beach | Evans | Miller | Terpeny |
| Beates | Ferris | Mitchell | Terry |
| Bridges | Fish | Moors | Thilemann |
| Brodsky | Fiske | Newman | Titus |
| Bullock | Gillette | Nowlan | Tozier |
| Case | Gorsline | Phillips | Travis |
| Catlin | Grosse | Pitcher | Treanor |
| Chamberlain | Gwinup | Potts | Tuthill, H. H. |
| Chickering | Hayes | Rhodes | Van Valkenburgh |
| Clark | Howland | Root | Varnum |
| Clowes | Hurd | Russell | Waterbury |
| Cookinham | Kennedy | Sanders | Wells, D. A. |
| Crapser | Lefever | Seeley | Wells, J. L. |
| Cullinan | Liddle | Sheridan | Weston |
| Curtis | Lindsay | Sherman | Wren |
| Davis | Low | Shuit | Youngs |
| Deane | McAvoy | Sipp | |

Those who voted in the negative, were

| | |
|--------|-------|
| Tormey | Walsh |
|--------|-------|

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act to amend chapter 381 of the Laws of 1877, entitled 'An act to amend chapter 896 of the Laws of 1869, entitled 'An act to incorporate the Crescent Company, and to extend the time within which the company thereby created may commence operations,' and to further extend the time within which said company may commence operations," with a message that they have concurred in the passage of the same with the following amendments:

Insert the following as section 4:

Section 4. It shall not be lawful for the company formed under this

act or under either or any of the acts amended hereby, to so use or withhold the water stored within the dam or dams or canals so to be hereafter erected or constructed hereunder, in such manner as to in any way or at any time or season to interfere with any of the rights of the Cohoes Company to which they are entitled by law; and the water used by said Crescent Company through their canals or by any one using under their grant, shall be returned into the Mohawk river above the dam of the Cohoes Company.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }
{ NOES 3 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Cushing | McTernan | Staele |
| Andrews | Deane | Mead | Tallmadge |
| Baker, B. F. | Dougherty | Miller | Terpeny |
| Baker, C. S. | Douglass | Mitchell | Terry |
| Beach | Duguid | Mooers | Thilemann |
| Beates | Evans | Morgan | Titus |
| Bradley | Ferris | Nowlan | Tozier |
| Bridges | Fish | Phillips | Travis |
| Brodsky | Fiske | Pitcher | Treanor |
| Bullock | Gillette | Potts | Tuttle, R. M. |
| Carpenter, E. A. | Gorsline | Rhodes | Van Valkenburgh |
| Case | Hayes | Root | Varnum |
| Chamberlain | Howland | Russell | Warner |
| Chickering | Hurd | Sanders | Waterbury |
| Clark | Kennedy | Seeley | Wells, D. A. |
| Olowes | Lefever | Sheridan | Wells, J. L. |
| Congdon | Liddle | Sherman | Weston |
| Cookinham | Lindsay | Shuit | Wiley |
| Crapser | Low | Sipp | Wren |
| Cullinan | McCabe | Sisson | Youngs |
| Curtis | McDonald | Skinner | |

Those who voted in the negative, were

Ellis Griggs O'Connor

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate sent for concurrence the following bills:

"An act to empower the board of trustees of the village of West Troy to construct a sewer in Utica street in said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act to authorize and direct the board of supervisors of Kings county to make suitable provision to reimburse Moses Kessel for all legitimate costs and expenses incurred in and about a certain proceeding brought against him by the people of the State of New York on the relation of Andrew Zeizer, and the said Andrew Zeizer in establishing and maintaining his right and title to and in a certain office in the county of Kings known and designated as commissioner of charities in the county of Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Brodsky moved that this House do adjourn, to meet again at 10 o'clock.

Mr. Travis moved to strike out "10" and insert "9."

Mr. Speaker put the question whether the House would agree to the motion of Mr. Travis, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion, as amended, and it was determined in the affirmative.

And at 1 o'clock and 30 minutes the House adjourned.

THURSDAY MORNING, MAY 27, 1880.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Magee.

Mr. Alvord moved to dispense with the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Alvord moved to postpone indefinitely all proceedings under the call of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate sent for concurrence the following resolution:

Resolved (if the Assembly concur), That the Secretary of State be and he is hereby authorized and directed to cause the election laws now in force in this State to be compiled and published in pamphlet form, with such notes, explanations, forms and instructions, as in his opinion may be necessary; and that he cause the same, when published, to be distributed through the several county clerks to the several town clerks and inspectors of election in this State; and that the same be so distributed on or before October 1, 1880.

Mr. Alvord moved to amend as follows: At the end of line 4, insert "or which may become laws at this session of the Legislature;" after the word "clerks," in line 10, insert the words "in sufficient numbers to supply a copy to each."

Mr. Speaker put the question whether the House would agree to said amendments, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution, as amended, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing of concurrence therein, with amendments.

Mr. Speaker appointed as the committee of investigation of the Cypress Hills Cemetery Association of Queens county, pursuant to resolution of the House, Messrs. Wren, Russell, Clowes, Lindsay and Benedict, of Kings.

By unanimous consent,

Mr. Peck introduced a bill entitled "An act to legalize the acts of William Newcomb, a justice of the peace of the town of DePeyster, St. Lawrence county," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Peck, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Douglass | McCabe | Sisson |
| Andrews | Duell | McDonald | Skinner |
| Baker, B. F. | Ellis | McTernan | Slingerland |
| Baker, C. S. | Ferris | Miller | Steele |
| Beates | Fish | Mitchell | Tallmadge |
| Benedict, T. E. | Fitzgerald | Mooers | Terpeny |
| Bradley | Gibbs | Morgan | Terry |
| Bridges | Gillette | Newman | Tozier |
| Brodsky | Gorsline | Nowlan | Travis |
| Bullock | Griggs | Peck | Treanor |
| Carpenter, I. S. | Gwinup | Phillips | Tully |
| Case | Hagan | Pitcher | Tuthill, H. H. |
| Chamberlain | Havens | Potts | Tuttle, R. M. |
| Clancy | Howland | Root | Van Valkenburgh |
| Clowes | Hurd | Russell | Warner |
| Congdon | Kennedy | Sanders | Waterbury |
| Cookinham | Lefever | Seeley | Wells, D. A. |
| Crapser | Liddle | Shanley | Wells, J. L. |
| Cullinan | Lindsay | Sheridan | Weston |
| Davis | Low | Shuit | Wren |
| Deane | McAvoy | Sipp | Youngs |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act to repeal certain acts and parts of acts therein named, so far as the same relate to or apply to or within the city and county of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Costello | Lindsay | Sipp |
| Andrews | Crapser | Low | Sisson |
| Baker, C. S. | Cullinan | McCabe | Skinner |
| Beach | Curtis | Miller | Steele |
| Beates | Cushing | Mooers | Tallmadge |
| Benediot, E. D. | Davis | Morgan | Terpeny |
| Benedict, T. E. | Deane | Newman | Terry |
| Bradley | Douglass | Nowlan | Tormey |
| Brennan | Duell | O'Brien | Tozier |
| Bridges | Ferris | Parker | Travis |
| Brodsky | Fitzgerald | Peck | Treanor |
| Bullock | Gibbs | Phillips | Tuthill, H. H. |
| Carpenter, I. S. | Gillette | Pitcher | Tuttle, R. M. |
| Case | Griggs | Potts | Van Valkenburgh |
| Chamberlain | Hagan | Roberts | Varnum |
| Chickering | Hayes | Root | Warner |
| Childs | Hoffman | Russell | Waterbury |
| Clancy | Howland | Sanders | Wells, J. L. |
| Clowes | Hurd | Seeley | Weston |
| Cohen | Kennedy | Sheridan | Wren |
| Congdon | Lefever | Sherman | Youngs |
| Cookinham | Liddle | Shuit | Mr. Speaker |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to amend chapter 461 of the Laws of 1869, entitled 'An act to incorporate the Chapin Home for the Aged and Infirm in the city of New York,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Curtis | Low | Sipp |
| Andrews | Davis | McCabe | Sisson |
| Baker, B. F. | Deane | McDonald | Skinner |
| Baker, C. S. | Douglass | Miller | Steele |
| Beach | Duell | Mooers | Tallmadge |
| Beates | Ellis | Morgan | Terry |
| Benedict, E. D. | Ferris | Newman | Thilemann |
| Bradley | Fiske | Nowlan | Tozier |
| Brennan | Fitzgerald | Peck | Travis |
| Bridges | Gillette | Phillips | Treanor |
| Brodsky | Griggs | Pitcher | Tuthill, H. H. |
| Bullock | Hagan | Potts | Tuttle, R. M. |
| Carpenter, I. S. | Hayes | Roberts | Van Valkenburgh |
| Chamberlain | Hoffman | Root | Varnum |
| Childs | Howland | Russell | Warner |
| Clowes | Hurd | Sanders | Waterbury |
| Congdon | Kennedy | Seeley | Wells, J. L. |
| Cookinham | Lefever | Shanley | Weston |
| Costello | Liddle | Sherman | Wren |
| Crapsier | Lindsay | Shuit | Youngs |
| Cullinan | | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to provide for the taxation of banks and of moneyed capital engaged in the business of banking, receiving deposits, or otherwise," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|------------|----------|-----------|
| Andrews | Davis | McAvoy | Sisson |
| Baker, C. S. | Deane | McCabe | Skinner |
| Beach | Dougherty | McDonald | Steele |
| Beates | Douglass | Miller | Tallmadge |
| Benedict, E. D. | Duguid | Mooers | Terpeny |
| Bradley | Ellis | Morgan | Terry |
| Brennan | Evans | Newman | Thilemann |
| Bridges | Ferris | Nowlan | Tozier |
| Brodsky | Fitzgerald | O'Connor | Travis |
| Bullock | Griggs | Peck | Treanor |

| | | | |
|------------------|---------|----------|-----------------|
| Carpenter, I. S. | Hagan | Phillips | Tuttle, R. M. |
| Chickering, J. | Hayes | Pitcher | Van Valkenburgh |
| Childs | Hoffman | Potts | Varnum |
| Clancy | Howland | Rhodes | Warner |
| Clark | Hurd | Roberts | Waterbury |
| Clowes | Husted | Russell | Wells, D. A. |
| Cohen | Kennedy | Seeley | Wells, J. L. |
| Cookinham | Lefever | Sherman | Weston |
| Costello | Liddle | Shuit | Wren |
| Cushing | Lindsay | Sipp | Younge |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

A message was received from the Governor, in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }
ALBANY, May 26, 1880. }

To the Assembly:

Pursuant to a joint resolution of the Senate and Assembly, Assembly bill No. 218, entitled "An act to further amend chapter 361 of the Laws of 1867, entitled 'An act authorizing supplementary proceedings for the collection of taxes,' as amended by chapter 446 of the Laws of 1879, and supplemental thereto," is herewith returned for amendment.

ALONZO B. CORNELL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|-----------------|------------|----------|-----------------|
| Andrews | Deane | McAvoy | Sisson |
| Baker, B. F. | Dougherty | McCabe | Skinner |
| Baker, C. S. | Douglass | Miller | Steele |
| Beach | Duell | Mooers | Tallmadge |
| Beates | Duguid | Morgan | Terpeny |
| Benedict, E. D. | Ellis | Newman | Terry |
| Benedict, T. E. | Evans | Nowlan | Thilemann |
| Bradley | Ferris | Peck | Tozier |
| Brennan | Fitzgerald | Phillips | Travis |
| Bridges | Gibbs | Pitcher | Treanor |
| Brodsky | Gillette | Potter | Tuthill, H. H. |
| Bullock | Gorsline | Potts | Tuttle, R. M. |
| Oase | Hagan | Roberts | Van Valkenburgh |
| Chickering | Hayes | Root | Varnum |
| Ohilds | Howland | Russell | Warner |
| Clancy | Hurd | Sanders | Waterbury |
| Clark | Husted | Seeley | Wells, D. A. |
| Clowes | Kennedy | Shanley | Wells, J. L. |
| Cohen | Lefever | Sherman | Weston |
| Congdon | Liddle | Shuit | Wren |
| Cookinham | Lindsay | Sipp | Younge |
| Davis | Low | | |

On motion of Mr. Davis, and by unanimous consent, said bill was amended in words following:

Insert as section 6, "Steuben county shall be excepted from the operations of this act."

Change section 6 to section 7.

Mr. Cookinham moved to reconsider the vote by which said amendment was made to said bill by unanimous consent.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Davis moved to recommit said bill to the committee on ways and means, with instruction to amend said bill in words following :

Insert as section 6, "Steuben county shall be excepted from the operations of this act."

Change number of section 6 to 7.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Husted, from the committee on ways and means, reported said bill back, amended as instructed by the House.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths of said members being present.

{ AYES 48 }
{ NOES 40 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Childs | Gilletto | Shanley |
| Andrews | Clancy | Grosse | Sheridan |
| Baker, B. F. | Clark | Hayes | Sisson |
| Baker, C. S. | Clowes | Kennedy | Steele |
| Beach | Cohen | Lefever | Tallmadge |
| Beates | Costello | McDonald | Terpeny |
| Benedict, E. D. | Curtis | Moors | Terry |
| Brennan | Cushing | Morgan | Tuthill, H. H. |
| Brodsky | Davis | Newman | Tuttle, R. M. |
| Bullock | Dougherty | Phillips | Varnum |
| Carpenter, I. S. | Ferris | Potts | Walsh |
| Case | Fitzgerald | Seeley | Warner |

Those who voted in the negative, were

| | | | |
|------------------|--------|----------|--------------|
| Benedict, T. E. | Duell | Husted | Sherman |
| Bradley | Duguid | Liddle | Shuit |
| Bridges | Ellis | Lindsay | Sipp |
| Carpenter, E. A. | Fish | Low | Skinner |
| Catlin | Fiske | McTernan | Tozier |
| Congdon | Gray | Miller | Travis |
| Cookinham | Griggs | Parker | Waterbury |
| Crapeer | Gwinup | Pitcher | Wells, D. A. |
| Deane | Havens | Roberts | Wells, J. L. |
| Douglass | Hurd | Sanders | Youngs |

Senate bill entitled "An act to repeal chapter 257 of the Laws of 1863, entitled 'An act in relation to draining certain low lands situate in the towns of Blooming Grove and Chester, in the county of Orange,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 68 }
{ NOES 14 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Cullinan | Liddle | Sisson |
| Andrews | Curtis | Lindsay | Skinner |
| Baker, C. S. | Davis | Low | Steele |
| Beach | Deane | McAvoy | Tallmadge |
| Beates | Douglass | McCabe | Terry |
| Benedict, E. D. | Duell | McCarthy | Thilemann |
| Benedict, T. E. | Duguid | Mooers | Tozier |
| Bridges | Fitzgerald | Morgan | Travis |
| Brodsky | Gillette | Newman | Treanor |
| Bullock | Gorsline | Nowlan | Tuthill, H. H. |
| Carpenter, I. S. | Gray | O'Brien | Tuttle, R. M. |
| Case | Griggs | Peck | Varnum |
| Clark | Hayes | Potter | Warner |
| Clowes | Howland | Russell | Wells, D. A. |
| Cohen | Hurd | Seeley | Wells, J. L. |
| Congdon | Kennedy | Sherman | Weston |
| Costello | Lefever | Sipp | Wren |

Those who voted in the negative, were

| | | | |
|---------|----------|---------|-------------|
| Bradley | Miller | Rhodes | Slingerland |
| Fish | Phillips | Roberts | Walsh |
| Havens | Pitcher | Root | Waterbury |
| Hoffman | Potts | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act in relation to plankroads and turnpike companies," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Crapsier | Lefever | Shanley |
| Andrews | Cullinan | Liddle | Sheridan |
| Baker, B. F. | Curtis | Lindsay | Shuit |
| Baker, C. S. | Davis | Low | Sisson |
| Beach | Deane | McCabe | Slingerland |
| Beates | Dougherty | McCarthy | Tallmadge |
| Benedict, E. D. | Douglass | Miller | Terpeny |
| Benedict, T. E. | Duguid | Mooers | Thilemann |
| Brennan | Evans | Morgan | Titus |
| Bridges | Ferris | Newman | Tozier |
| Brodsky | Fish | Nowlan | Travis |
| Bullock | Fiske | Peck | Treanor |
| Carpenter, E. A. | Fitzgerald | Phillips | Tuthill, H. H. |
| Carpenter, I. S. | Gibbs | Pitcher | Tuttle, R. M. |
| Case | Gray | Potter | Varnum |
| Chamberlain | Griggs | Potts | Warner |
| Chickering | Hagan | Rhodes | Waterbury |
| Childs | Hayes | Roberts | Wells, D. A. |
| Clark | Howland | Root | Wells, J. L. |

| | | | |
|-----------|---------|---------|--------|
| Cohen | Hurd | Russell | Weston |
| Congdon | Husted | Sanders | Wren |
| Cookinham | Kennedy | Seeley | Youngs |

Those who voted in the negative, were
Clowes

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to authorize the reading in courts and proceedings of the compilation entitled 'The special and local laws affecting public interests in the city of New York, and to declare the effect thereof,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Cullinan | Liddle | Sheridan |
| Andrews | Curtis | Lindsay | Sherman |
| Baker, B. F. | Davis | Low | Shuit |
| Baker, C. S. | Deane | McAvoy | Sipp |
| Beach | Dougherty | McDonald | Sisson |
| Beates | Douglass | Miller | Steele |
| Benedict, E. D. | Duell | Moors | Tallmadge |
| Benedict, T. E. | Duguid | Morgan | Terry |
| Brennan | Evans | Newman | Titus |
| Bridges | Ferris | Nowlan | Tozier |
| Brodsky | Fish | Peck | Travis |
| Bullock | Gibbs | Phillips | Tuthill, H. H. |
| Carpenter, I. S. | Gray | Pitcher | Tuttle, R. M. |
| Case | Griggs | Potter | Van Valkenburgh |
| Catlin | Hayes | Potts | Warner |
| Chickering | Hoffman | Rhodes | Waterbury |
| Childs | Howland | Roberts | Wells, D. A. |
| Clark | Hurd | Root | Wells, J. L. |
| Clowes | Husted | Russell | Weston |
| Congdon | Kennedy | Sanders | Wren |
| Cookinham | Lefever | Seeley | Youngs |
| Crapser | | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Sanders, from the committee on affairs of villages, to which was referred the Senate bill (introductory No. 378), entitled "An act to empower the board of trustees of West Troy to construct a sewer in Utica street in said village," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. T. E. Benedict, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative,

a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|----------|-----------------|
| Alvord | Oullinan | Liddle | Shuit |
| Andrews | Curtis | Lindsay | Sipp |
| Baker, B. F. | Cushing | Low | Sisson |
| Baker, C. S. | Davis | McAvoy | Skinner |
| Beach | Deane | McCabe | Steele |
| Beates | Douglass | McDonald | Terpeny |
| Benedict, E. D. | Duell | McTernan | Terry |
| Benedict, T. E. | Duguid | Miller | Thilemann |
| Bradley | Ferris | Mooers | Tozier |
| Brennan | Fish | Morgan | Travis |
| Bridges | Gibbs | Newman | Treanor |
| Brodsky | Gillette | Nowlan | Tuthill, H. H. |
| Bullock | Gorsline | Phillips | Tuttle, R. M. |
| Carpenter, I. S. | Gray | Pitcher | Van Valkenburgh |
| Chamberlain | Griggs | Potter | Warner |
| Chase | Havens | Potts | Waterbury |
| Chickering | Hayes | Rhodes | Wells, D. A. |
| Childs | Howland | Root | Wells, J. L. |
| Clark | Hurd | Russell | Weston |
| Clowes | Husted | Sanders | Wren |
| Congdon | Kennedy | Seeley | Youngs |
| Crapser | Lefever | Sherman | |

Those who voted in the negative, were
Slingerland

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Tallmadge offered for the consideration of the House a resolution in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of Senate bill No. 324, general orders 587, entitled "An act to amend chapter 253 of the Laws of 1877, entitled 'An act to amend chapter 107 of the Laws of 1877, entitled 'An act in relation to the Superintendent of State prisons, and for the more efficient and economical management of said prisons,'" and that the same be now put upon its passage.

Mr. Varnum moved to lay said resolution on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

{ AYES 55 }
{ NOES 36 }

Those who voted in the affirmative, were

| | | | |
|--------------|----------|----------|---------------|
| Alvord | Clowes | Low | Seeley |
| Baker, B. F. | Congdon | McCabe | Sisson |
| Baker, C. S. | Crapser | Mitchell | Skinner |
| Beach | Cullinan | Mooers | Slingerland |
| Beates | Curtis | Morgan | Travis |
| Brennan | Davis | Nowlan | Tuttle, R. M. |

| | | | |
|------------------|-----------|----------|-----------------|
| Bridges | Douglass | Peck | Van Valkenburgh |
| Bullock | Duguid | Phillips | Varnum |
| Carpenter, E. A. | Fish | Pitcher | Waterbury |
| Carpenter, I. S. | Griggs | Potter | Wells, D. A. |
| Chamberlain | Howland | Potts | Weston |
| Chickering | Ingersoll | Roberts | Youngs |
| Childs | Kennedy | Root | Mr. Speaker |
| Clark | Lefever | Sanders | |

Those who voted in the negative, were

| | | | |
|-----------------|------------|----------|--------------|
| Benedict, E. D. | Dougherty | Lindsay | Sheridan |
| Benedict, T. E. | Evans | McAvoy | Tallmadge |
| Bennett | Fitzgerald | McCarthy | Thilemann |
| Bradley | Gibbs | McTernan | Tozier |
| Brodsky | Grosse | Newman | Treanor |
| Clancy | Gwinup | O'Connor | Walsh |
| Cohen | Hagan | Rhodes | Warner |
| Costello | Havens | Russell | Wells, J. L. |
| Cushing | Hayes | Shanley | Wren |

By unanimous consent,

Mr. Husted introduced a bill entitled "An act to provide ways and means for the support of government," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Husted, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|----------|----------|-----------------|
| Alvord | Congdon | Husted | Seeley |
| Andrews | Costello | Kennedy | Shanley |
| Baker, B. F. | Crapser | Lefever | Sheridan |
| Baker, C. S. | Cullinan | Liddle | Sipp |
| Beach | Curtis | Lindsay | Sisson |
| Beates | Cushing | Low | Skinner |
| Benedict, E. D. | Davis | McCabe | Slingerland |
| Benedict, T. E. | Deane | McDonald | Steele |
| Bradley | Douglass | Miller | Tallmadge |
| Brennan | Duell | Mooers | Terry |
| Bridges | Evans | Morgan | Titus |
| Brodsky | Ferris | Nowlan | Tozier |
| Bullock | Fish | Peck | Treanor |
| Carpenter, E. A. | Fiske | Phillips | Tuthill, H. H. |
| Carpenter, I. S. | Gillette | Pitcher | Tuttle, R. M. |
| Oase | Gorsline | Potter | Van Valkenburgh |
| Catlin | Gray | Potts | Varnum |
| Chase | Griggs | Rhodes | Warner |
| Childs | Hagan | Roberts | Waterbury |
| Clancy | Hayes | Root | Wells, D. A. |
| Clark | Hoffman | Russell | Wells, J. L. |
| Clowes | Howland | Sanders | Wren |
| Cohen | Hurd | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act for the relief of Thomas Cottman," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths of said members being present.

{ AYES 48 }
{ NOES 38 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Cullinan | Lefever | Sheridan |
| Andrews | Cushing | McAvoy | Shuit |
| Baker, C. S. | Davis | McCarthy | Strait |
| Beach | Deane | Mooers | Tallmadge |
| Beates | Dougherty | Morgan | Terpeny |
| Bennett | Fiske | Newman | Terry |
| Brodsky | Fitzgerald | Nowlan | Thilemann |
| Bullock | Ellis | O'Brien | Van Valkenburgh |
| Carpenter, E. A. | Gray | O'Connor | Walsh |
| Clancy | Hagan | Potter | Wells, D. A. |
| Comstock | Hayes | Roberts | Wells, J. L. |
| Costello | Kennedy | Shanley | Wren |

Those who voted in the negative, were

| | | | |
|------------------|-----------|----------|---------------|
| Benedict, T. E. | Cookinham | Lindsay | Seeley |
| Bradley | Craper | Low | Sipp |
| Brennan | Curtis | McCabe | Sisson |
| Bridges | Douglass | Miller | Skinner |
| Carpenter, I. S. | Duguid | Mitchell | Slingerland |
| Chamberlain | Ellis | Peck | Tozier |
| Chickering | Fish | Potts | Treanor |
| Childs | Gillette | Rhodes | Tuttle, R. M. |
| Clark | Griggs | Russell | Waterbury |
| Congdon | Havens | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have non-concurred in the passage of the same.

Senate bill entitled "An act in relation to cleaning the streets of the city of Brooklyn," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 2 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|----------|-----------|
| Alvord | Congdon | Kennedy | Russell |
| Andrews | Cookinham | Lefever | Sanders |
| Baker, B. F. | Craper | Liddle | Sherman |
| Baker, C. S. | Curtis | Lindsay | Shuit |
| Beach | Cushing | Low | Sipp |
| Beates | Davis | McCabe | Sisson |
| Benedict, E. D. | Deane | McCarthy | Skinner |
| Brennan | Duell | McDonald | Steele |
| Bridges | Duguid | Miller | Tallmadge |
| Brodsky | Evans | Mitchell | Terry |

| | | | |
|------------------|------------|----------|-----------------|
| Bullock | Ferris | Mooers | Thilemann |
| Carpenter, E. A. | Fish | Morgan | Titus |
| Carpenter, I. S. | Fitzgerald | Newman | Tozier |
| Chamberlain | Gillette | Nowlan | Travis |
| Chase | Gorsline | O'Brien | Treanor |
| Chickering | Gray | Peck | Tuttle, R. M. |
| Childs | Hagan | Phillips | Van Valkenburgh |
| Clancy | Hayes | Pitcher | Warner |
| Clark | Howland | Potter | Waterbury |
| Clowes | Hurd | Potts | Wells, J. L. |
| Cohen | Husted | Roberts | Weston |
| Comstock | Ingersoll | Root | Wren |

Those who voted in the negative, were
Shanley Walsh

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

To the Legislature :

Your committee of conference to whom were referred the remaining matters of difference between the two Houses on Assembly bill entitled "An act making appropriations for the payment of certain awards made by the State Board of Audit," beg leave respectfully to report that they have met and have duly considered such matters of difference, and have agreed to recommend that the Senate shall concur in the Assembly bill as it passed the Assembly after the same is amended by adding to section 1 the following words: "And for Robert F. McIntyre, \$61.35. And after changing the gross amount appropriated from \$13,449.28 to \$13,570.63.

And your committee further report that they have agreed to recommend that the Senate shall concur in passing Assembly bill, printed No. 797, entitled "An act to establish a State Board of Audit and to define its powers and duties." All of which is respectfully submitted.

ALBANY, May 27, 1880.

W. D. BRENNAN,
THOS. G. ALVORD,
I. S. CARPENTER,

Assembly Committee.

LOREN B. SESSIONS,
JOHN C. JACOBS,
WM. B. WOODIN,

Senate Committee.

Mr. Speaker put the question whether the House would concur in the report of said conference committee, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 94 }
{ NOES 2 }

Those who voted in the affirmative, were

| | | | |
|-----------------|-----------|----------|-------------|
| Alvord | Crapser | Lefever | Shuit |
| Andrews | Cullinan | Liddle | Sipp |
| Baker, B. F. | Curtis | Lindsay | Sisson |
| Beach | Davis | Low | Skinner |
| Beates | Deane | McAvoy | Slingerland |
| Benedict, E. D. | Dougherty | McCabe | Steele |
| Bradley | Douglass | McCarthy | Tallmadge |
| Brennan | Duell | Miller | Terry |
| Bridges | Duguid | Mitchell | Thilemann |

| | | | |
|------------------|-----------|----------|-----------------|
| Brodsky | Evans | Mooers | Titus |
| Bullock | Fish | Morgan | Tozier |
| Carpenter, E. A. | Fiske | Nowlan | Travis |
| Carpenter, I. S. | Gillette | O'Brien | Treanor |
| Case | Gorsline | Peck | Tuthill, H. H. |
| Catlin | Gray | Phillips | Tuttle, R. M. |
| Chamberlain | Griggs | Potter | Van Valkenburgh |
| Chase | Gwinup | Potts | Varnum |
| Chickering | Hayes | Roberts | Warner |
| Childs | Hoffman | Root | Waterbury |
| Clark | Howland | Russell | Wells, D. A. |
| Clowes | Hurd | Sanders | Wells, J. L. |
| Comstock | Husted | Seeley | Weston |
| Congdon | Ingersoll | Sherman | Wren |
| Costello | Kennedy | | |

Those who voted in the negative, were

Benedict, T. E. Cushing

Ordered, That the Clerk deliver said bill to the Senate, with a message informing that the Assembly have concurred in the report of the conference committee thereon.

The Senate sent for concurrence the bill entitled "An act to amend an act entitled 'An act supplemental to the Code of Civil Procedure,' passed May 6, 1880," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Terry, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 98 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|-----------------|
| Alvord | Cookinham | Howland | Sheridan |
| Andrews | Crapsier | Hurd | Sherman |
| Baker, B. F. | Cullinan | Husted | Shuit |
| Baker, O. S. | Curtis | Ingersoll | Sipp |
| Beach | Cushing | Kennedy | Sisson |
| Beates | Davis | Lefever | Skinner |
| Benedict, E. D. | Deane | Liddle | Slingerland |
| Benedict, T. E. | Dougherty | Lindsay | Steele |
| Bradley | Douglass | Low | Tallmadge |
| Brennan | Duell | McAvoy | Terry |
| Bridges | Duguid | McCabe | Titus |
| Brodsky | Ellis | McCarthy | Tozier |
| Bullock | Evans | Miller | Travis |
| Carpenter, E. A. | Ferris | Mitchell | Tuthill, H. H. |
| Carpenter, I. S. | Fish | Mooers | Tuttle, R. M. |
| Case | Fiske | Morgan | Van Valkenburgh |
| Catlin | Gibbs | Newman | Varnum |
| Chamberlain | Gillette | Nowlan | Warner |
| Chase | Gorsline | Peck | Waterbury |
| Chickering | Gray | Potts | Wells, D. A. |
| Childs | Griggs | Roberts | Wells, J. L. |
| Clark | Grosse | Root | Weston |
| Clowes | Gwinup | Russell | Wren |

Comstock
Congdon

Hayes
Hoffman

Sanders

Youngs

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The committee of conference to which was referred the matter of difference between the two Houses respecting Assembly bill No. 20, entitled "An act to amend chapter 431 of the Laws of 1875, entitled 'An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof,'" report that they have met and considered such business and respectfully reports as follows:

Add at end of section 2, "the counties of St. Lawrence, Cayuga, Albany, Broome, Cortland, Jefferson, Ulster, Greene, Schoharie, Otsego, Monroe, Warren, Oneida, Madison, Delaware and Schenectady, are hereby exempted from the provisions of this act."

E. M. MADDEN,
GEO. B. LORD,
JAMES STEVENS,

H. GRIGGS,
M. SHUIT,
R. G. HAVENS.
NATHAN BRIDGES.

Senate committee.

Assembly committee.

Mr. Speaker put the question whether the House would concur in the report of said conference committee, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 72 }
{ NOES 14 }

Those who voted in the affirmative, were

| | | | |
|-----------------|------------|-----------|--------------|
| Alvord | Cushing | Howland | Russell |
| Baker, B. F. | Davis | Hurd | Sanders |
| Baker, C. S. | Deane | Husted | Sheridan |
| Beach | Dougherty | Ingersoll | Sherman |
| Beates | Douglass | Kennedy | Shuit |
| Benedict, T. E. | Duell | Lefever | Sisson |
| Bradley | Evans | Liddle | Skinner |
| Brennan | Ferris | Lindsay | Slingerland |
| Bridges | Fish | Low | Steele |
| Brooks | Fitzgerald | McAvoy | Terry |
| Chamberlain | Gibbs | McCabe | Thilemann |
| Chase | Gillette | McCarthy | Walsh |
| Clark | Gray | Mead | Warner |
| Clowes | Griggs | Miller | Waterbury |
| Cohen | Grosse | Mitchell | Wells, D. A. |
| Comstock | Havens | Phillips | Wells, J. L. |
| Cookinham | Hayes | Pitcher | Weston |
| Curtis | Hoffman | Potts | Wiley |

Those who voted in the negative, were

| | | | |
|------------------|------------|---------|-----------|
| Andrews | Chickering | Morgan | Tallmadge |
| Bullock | Congdon | Roberts | Tozier |
| Carpenter, E. A. | Gwinup | Root | Travis |
| Carpenter, I. S. | Moors | | |

Mr. Clowes moved to take from the table the motion to reconsider the vote by which Assembly bill entitled "An act authorizing the appointment of special policemen for Long Beach in the town of Hempstead, Queens county," was lost.

Mr. Speaker put the question whether the House would agree to take said motion to reconsider from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 67 }
{ NOES 16 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|---------------|
| Alvord | Clark | Gray | Seeley |
| Andrews | Clowes | Griggs | Shanley |
| Baker, B. F. | Cohen | Gwinup | Sheridan |
| Baker, C. S. | Comstock | Hurd | Shuit |
| Beach | Congdon | Lindsay | Sipp |
| Beates | Costello | Low | Sisson |
| Benedict, E. D. | Crafts | McAvoy | Skinner |
| Benedict, T. E. | Curtis | McTernan | Slingerland |
| Bradley | Davis | Mitchell | Steele |
| Bridges | Dougherty | Mooers | Strait |
| Bullock | Douglass | Newman | Tallmadge |
| Carpenter, I. S. | Ellis | Parker | Terry |
| Catlin | Evans | Potter | Tuttle, R. M. |
| Chamberlain | Fiske | Rhodes | Varnum |
| Chase | Fitzgerald | Roberts | Wells, D. A. |
| Chickering | Gillette | Root | Wren |
| Clancy | Gorsline | Russell | |

Those who voted in the negative, were

| | | | |
|-----------|---------|----------|--------------|
| Brennan | Oushing | McCarthy | Travis |
| Brodsky | Duell | Miller | Walsh |
| Cookinham | Fish | Morgan | Waterbury |
| Crapser | Havens | Sherman | Wells, J. L. |

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }
{ NOES 13 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|-----------------|
| Alvord | Clancy | Havens | Russell |
| Andrews | Clark | Hayes | Sanders |
| Baker, B. F. | Clowes | Howland | Seeley |
| Baker, C. S. | Comstock | Ingersoll | Sheridan |
| Beach | Congdon | Liddle | Sherman |
| Beates | Cookinham | Lindsay | Shuit |
| Benedict, E. D. | Curtis | Low | Sisson |
| Benedict, T. E. | Davis | McDonald | Skinner |
| Brennan | Deane | Mitchell | Slingerland |
| Bridges | Dougherty | Morgan | Steele |
| Brodsky | Duguid | Newman | Tallmadge |
| Bullock | Evans | Parker | Terry |
| Carpenter, E. A. | Ferris | Phillips | Tuttle, R. M. |
| Carpenter, I. S. | Fiske | Pitcher | Van Valkenburgh |

| | | | |
|-------------|----------|---------|--------------|
| Case | Gorsline | Potter | Varnum |
| Catlin | Gray | Potts | Warner |
| Chamberlain | Griggs | Rhodes | Waterbury |
| Chase | Grosse | Roberts | Wells, D. A. |
| Chickering | Gwinup | Root | Wren |
| Childs | | | |

Those who voted in the negative, were

| | | | |
|---------|------------|--------|--------------|
| Cohen | Fitzgerald | McAvoy | Walsh |
| Crapser | Gibbs | McCabe | Wells, J. L. |
| Ellis | Hoffman | Miller | Yongs |
| Fish | | | |

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Senate bill entitled "An act in relation to printing and publishing the Code of Criminal Procedure," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|-----------|-----------------|
| Alvord | Cookinham | Ingersoll | Shanley |
| Andrews | Crapser | Kennedy | Sherman |
| Baker, B. F. | Cullinan | Lefever | Shuit |
| Baker, C. S. | Curtis | Liddle | Sipp |
| Beach | Cushing | Lindsay | Sisson |
| Beates | Davis | Low | Skinner |
| Benedict, E. D. | Deane | McCabe | Tallmadge |
| Benedict, T. E. | Duell | McDonald | Terpeny |
| Bradley | Duguid | McTernan | Terry |
| Brennan | Evans | Miller | Tozier |
| Bridges | Ferris | Mitchell | Travis |
| Brodaky | Fish | Mooers | Treanor |
| Bullock | Fiske | Morgan | Tully |
| Carpenter, E. A. | Gillette | Nowlan | Tuthill, H. H. |
| Carpenter, I. S. | Gorsline | Peck | Tuttle, R. M. |
| Catlin | Gray | Phillips | Van Valkenburgh |
| Chamberlain | Griggs | Pitcher | Warner |
| Chase | Gwinup | Potter | Waterbury |
| Chickering | Hagan | Rhodes | Wells, D. A. |
| Childs | Hayes | Roberts | Wells, J. L. |
| Clark | Howland | Root | Weston |
| Clowes | Hurd | Russell | Wren |
| Congdon | Husted | Sanders | Yongs |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to amend section 24 of article 1 of title 1 of chapter 15 of part 1 of the Revised Statutes, relating to the organization and powers of the board of regents," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Crapser | Liddle | Sherman |
| Andrews | Cullinan | Lindsay | Shuit |
| Baker, B. F. | Curtis | Low | Sipp |
| Baker, C. S. | Davis | McCabe | Sisson |
| Beach | Deane | McCarthy | Slingerland |
| Beates | Douglass | McDonald | Steele |
| Benedict, E. D. | Duell | Mead | Tallmadge |
| Bennett | Evans | Miller | Thilemann |
| Bradley | Ferris | Mooers | Titus |
| Brennan | Fish | Morgan | Tozier |
| Bridges | Fiske | Newman | Travis |
| Brodskey | Fitzgerald | Nowlan | Treanor |
| Bullock | Gorsline | Peck | Tuttle, R. M. |
| Carpenter, E. A. | Gray | Phillips | Van Valkenburgh |
| Carpenter, I. S. | Griggs | Pitcher | Varnum |
| Catlin | Hagan | Potter | Warner |
| Chase | Hayes | Potts | Waterbury |
| Chickering | Howland | Rhodes | Wells, D. A. |
| Clark | Hurd | Roberts | Wells, J. L. |
| Clowes | Husted | Root | Weston |
| Congdon | Ingersoll | Russell | Wren |
| Cookinham | Kennedy | Seeley | Youngs |
| Costello | Lefever | Shanley | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Shanley offered for the consideration of the House a resolution in the words following:

Resolved, That all other orders of business be suspended in order to go into committee of the whole on Senate bill No. 397, entitled "An act to suppress intemperance and to regulate the sale of liquors, wines, ale and beer, in the cities of the State of New York in which the population by the last State census exceeded 400,000."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

The committee of conference appointed by the Senate and Assembly to consider the points of difference between the two Houses in relation to Assembly bill No. 90, entitled "An act to protect Central Park in the city of New York and the streets bordering upon the same from encroachments by elevated railroads," respectfully report that having met and considered the same they recommend as follows:

That the Assembly concur in the amendments following made by the Senate, viz.: Change title so as to read as follows:

"An act in relation to elevated railroads in the city of New York."

Strike out all after the enacting clause and insert as follows:

Section 1. It shall not be lawful to grant, use or occupy, for the purpose of an elevated railroad, any street, avenue, public park, area or public place in that portion of the city of New York lying south of Harlem river and Spuyten Duyvil creek and north of the southerly line of Fulton street, except the streets, avenues, parks and public places in which an elevated railroad is now constructed in whole or in

part, nor shall any elevated railroad be constructed over the sidewalk of, or on State street from Battery place to Whitehall street; but the structure of the New York Elevated Railroad Company now on the Battery park may be continued, maintained and used by said company. Nothing herein contained shall be construed to affect any right heretofore given by the report of the rapid transit commissioners, so called, to any elevated railroad company now operating a railroad to cross the Harlem river or to approach a point or place of crossing, or to operate, maintain or use any railroad it now has, nor to affect any right now existing in any elevated railroad company to construct, maintain and use an elevated railroad from Second avenue through River street to Eighth avenue and from West Broadway to Chatham street and through Chatham street to Division street. But no elevated railroad shall be hereafter built in the city of New York, north of Harlem river and Spuyten Duyvil creek, except pursuant to chapter 606 of the Laws of 1875. Nothing in this act contained shall be deemed to take from the Metropolitan Transit Company any of the rights and privileges granted to said company by chapter 833 of the Laws of 1872, except that no elevated railroad under said act shall be constructed along Forty-second street, or streets bounding Reservoir square, or on Broadway or through Morningside park.

§ 2. No railroad, elevated or surface, hereafter constructed shall run over or upon the surface of any park in the city of New York.

§ 3. This act shall take effect immediately.

ROBERT H. STRAHAN,
FERDINAND EIDMAN,
E. HOGAN,

Senate Committee.

CHARLES S. BAKER,
E. A. CARPENTER,
JOHN SHANLEY,

Assembly Committee.

I dissent from all of the foregoing report and recommend that Assembly bill No. 90 as it passed the Assembly be adhered to.

JAMES M. VARNUM,
Of the Assembly Committee.

ALBANY, May 26, 1880.

Mr. Varnum moved to lay said report on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Senate bill entitled "An act to amend chapter 285 of the Laws of 1874, entitled 'An act in reference to the cemetery in the village of Herkimer,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }
{ NOES 3 }

Those who voted in the affirmative, were

| | | | |
|--------------|-----------|----------|---------|
| Alvord | Cookinham | Lefever | Sherman |
| Andrews | Crapser | Liddle | Shuit |
| Baker, B. F. | Cullinan | Lindsay | Sipp |
| Baker, C. S. | Davis | McAvoy | Sisson |
| Beach | Deane | McCabe | Skinner |
| Beates | Douglass | McDonald | Steele |

| | | | |
|------------------|------------|----------|-----------------|
| Benedict, E. D. | Duell | McTernan | Tallmadge |
| Benedict, T. E. | Evans | Miller | Terry |
| Brennan | Ferris | Mitchell | Thilemann |
| Bridges | Fish | Mooers | Tormey |
| Brodsky | Fiske | Morgan | Travis |
| Bullock | Fitzgerald | Newman | Treanor |
| Carpenter, I. S. | Gillette | Nowlan | Tuthill, H. H. |
| Catlin | Gorsline | Phillips | Tuttle, R. M. |
| Chamberlain | Gray | Pitcher | Van Valkenburgh |
| Chase | Hagan | Potter | Varnum |
| Chickering | Hayes | Potts | Warner |
| Childs | Hoffman | Roberts | Waterbury |
| Clancy | Howland | Root | Weston |
| Clark | Hurd | Russell | Wren |
| Clowes | Husted | Sanders | Yongs |
| Congdon | Kennedy | Seeley | |

Those who voted in the negative, were

| | | |
|--------|-----------|--------------|
| Curtis | Ingersoll | Wells, J. L. |
|--------|-----------|--------------|

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to amend chapter 227 of the Laws of 1872, entitled 'An act to amend an act passed May 9, 1868, entitled 'An act to amend section 3 of chapter 817 of the Laws of 1866, entitled 'An act to lay out and construct a road from the river road in township No. 14, in the town of Johnsburgh, to the Carthage road near the head of Long lake in the county of Hamilton,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 93 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|-----------|----------|-----------------|
| Alvord | Deane | Lindsay | Sipp |
| Andrews | Douglass | Low | Sisson |
| Baker, B. F. | Duell | McAvoy | Skinner |
| Baker, C. S. | Ellis | McCabe | Slingerland |
| Beach | Evans | McDonald | Terpeny |
| Beates | Ferris | Miller | Terry |
| Benedict, E. D. | Fish | Mitchell | Thilemann |
| Bradley | Fiske | Mooers | Titus |
| Brennan | Gibbs | Newman | Tormey |
| Bridges | Gillette | Nowlan | Tozier |
| Brodsky | Gorsline | Peck | Travis |
| Bullock | Gray | Phillips | Treanor |
| Carpenter, I. S. | Griggs | Pitcher | Tuthill, H. H. |
| Case | Hagan | Potter | Tuttle, R. M. |
| Chamberlain | Hayes | Potts | Van Valkenburgh |
| Chase | Hoffman | Rhodes | Varnum |
| Chickering | Howland | Roberts | Warner |
| Clark | Hurd | Root | Waterbury |
| Clowes | Husted | Russell | Wells, D. A. |
| Cohen | Ingersoll | Sanders | Wells, J. L. |
| Congdon | Kennedy | Seeley | Weston |
| Cookinham | Lefever | Sherman | Wren |

Cullinan
Davis

Liddle

Shuit

Youngs

7

Those who voted in the negative, were
Curtis

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Husted offered for the consideration of the House a resolution in the words following :

Resolved, That a committee of two be appointed to wait upon the Governor, to inform him that the Assembly has completed its business, and is ready to adjourn sine die.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker appointed as such committee, Messrs. Husted and Shanley.

The Senate returned the concurrent resolution authorizing the Comptroller to compile, publish and distribute the election laws of the State, with a message that they had concurred in the amendments of the Assembly thereto.

Ordered, That the Clerk return said resolution to the Senate.

Mr. Alvord offered for the consideration of the House a resolution in the words following :

Resolved, That a committee of two be appointed to wait upon the Honorable the Senate, to inform that body that the Assembly has completed its business, and is ready to adjourn sine die.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker appointed as such committee, Messrs. Alvord and Hoffman.

Senate bill entitled "An act authorizing the surrogate of the county of Erie to appoint a stenographer for the surrogate's court of said county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|----------------|
| Alvord | Cullinan | Lindsay | Sipp |
| Andrews | Davis | Low | Sisson |
| Baker, B. F. | Deane | McCarthy | Skinner |
| Baker, C. S. | Dougherty | McDonald | Slingerland |
| Beach | Douglass | Mead | Tallmadge |
| Beates | Evans | Miller | Terpeny |
| Benedict, E. D. | Ferris | Mooers | Terry |
| Bradley | Fish | Morgan | Tormey |
| Brennan | Fitzgerald | Newman | Tozier |
| Bridges | Gillette | Nowlan | Travis |
| Brodsky | Gorsline | Peck | Treanor |
| Bullock | Gray | Phillips | Tully |
| Carpenter, E. A. | Grosse | Pitcher | Tuthill, H. H. |
| Catlin | Gwinup | Potter | Tuttle, R. M. |

| | | | |
|-------------|-----------|----------|--------------|
| Chamberlain | Hagan | Potts | Varnum |
| Chase | Hayes | Roberts | Warner |
| Chickering | Howland | Root | Waterbury |
| Childs | Hurd | Russell | Wells, D. A. |
| Clowes | Husted | Sanders | Wells, J. L. |
| Comstock | Ingersoll | Seeley | Weston |
| Congdon | Kennedy | Sheridan | Wren |
| Cookinham | Lefever | Sherman | Youngs |
| Crapser | Liddle | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Senate bill entitled "An act to amend chapter 717 of the Laws of 1870, entitled 'An act to authorize the sale of real estate in which any widow is or shall be entitled to dower in satisfaction and discharge thereof,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Andrews | Cullinan | Liddle | Sheridan |
| Baker, B. F. | Curtis | Lindsay | Sherman |
| Baker, C. S. | Davis | Low | Shuit |
| Beach | Deane | McAvoy | Sipp |
| Beates | Douglass | McCabe | Sisson |
| Benedict, E. D. | Duell | McCarthy | Skinner |
| Benedict, T. E. | Evans | McDonald | Slingerland |
| Brennan | Ferris | Miller | Tallmadge |
| Bridges | Fish | Mitchell | Terpeny |
| Brodsky | Fitzgerald | Moores | Terry |
| Bullock | Gibbs | Morgan | Torney |
| Carpenter, E. A. | Gorsline | Peck | Tozier |
| Carpenter, I. S. | Gray | Phillips | Travis |
| Chamberlain | Grosse | Pitcher | Tuttle, R. M. |
| Chase | Hagan | Potter | Van Valkenburgh |
| Childs | Havens | Potts | Varnum |
| Clark | Hayes | Rhodes | Warner |
| Clowes | Howland | Roberts | Waterbury |
| Cohen | Hurd | Root | Wells, J. L. |
| Congdon | Ingersoll | Russell | Weston |
| Cookinham | Kennedy | Sanders | Wren |
| Costello | Lefever | Seeley | Youngs |

Ordered. That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Messrs. Alvord and Hoffman, from the committee on the part of the House to inform the Senate that this House was ready to adjourn, appeared before the bar of the House and stated that they had performed that duty.

Messrs. Husted and Shanley, from the committee on the part of the House to wait upon the Governor and inform him that this House had performed its labor and was ready to adjourn, appeared before the bar of the House and stated that they had performed that duty.

Senate bill entitled "An act to provide for the establishment and management of a permanent fund for the Buffalo Society of Natural Sciences," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|-----------|-----------------|
| Alvord | Cullinan | Ingersoll | Shuit |
| Andrews | Curtis | Kennedy | Sipp |
| Baker, B. F. | Cushing | Lefever | Sisson |
| Baker, C. S. | Davis | Liddle | Skinner |
| Beach | Deane | Lindsay | Slingerland |
| Beates | Duell | Low | Steele |
| Benedict, E. D. | Duguid | McDonald | Tallmadge |
| Bradley | Ellis | McTernan | Terpeny |
| Brennan | Evans | Mead | Terry |
| Bridges | Ferris | Miller | Titus |
| Brodskey | Fish | Mitchell | Tormey |
| Bullock | Fiske | Mooers | Tozier |
| Carpenter, E. A. | Fitzgerald | Morgan | Travis |
| Carpenter, I. S. | Gibbs | Newman | Treanor |
| Chamberlain | Gillette | Potts | Tuttle, R. M. |
| Chase | Gray | Rhodes | Van Valkenburgh |
| Chickering | Griggs | Roberts | Varnum |
| Childs | Grosse | Root | Waterbury |
| Clark | Hayes | Russell | Wells, D. A. |
| Clowes | Hoffman | Sanders | Wells, J. L. |
| Constock | Howland | Seelay | Weston |
| Congdon | Hurd | Sheridan | Wiley |
| Cookinham | Husted | Sherman | Wren |
| Crapser | | | |

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate returned the bill entitled "An act to regulate the transportation of freight by railroad corporations," with a message that they had passed the same with the following amendments:

Strike out all after the enacting clause and insert the following:

Section 1. Every railroad corporation shall give to all persons reasonable and equal terms, facilities and accommodations for the transportation of any merchandise or other property of every kind and description, not dangerous in character, on like and contemporaneous shipments upon any railroad owned or operated by such corporation and for terminal handling, the use of the depot or other buildings and grounds of such corporation. All railroad corporations whose railroads are or shall hereafter be crossed, intersected or joined by any other railroad shall receive from each other and forward to their destination all goods, merchandise and other property intended for points on their respective roads, with the same dispatch and at a rate of freight not exceeding the local tariff charged for similar goods, merchandise or other property received at and forwarded from the same point for individuals and other corporations. Nothing in this act contained, however, shall be construed to change the existing laws in relation to express companies.

§ 2. No railroad corporation shall charge or receive for the transportation of freight to any station on its road a greater sum than is charged or received for the contemporaneous transportation of the like kind and quality of freight from the same original point of departure to a station at a greater distance on its road in the same direction. Two or more railroad corporations, whose roads connect, shall not charge or receive for the transportation of freight to any station on the road of either of them a greater sum than is charged or received for the contemporaneous transportation of the like kind and quality of freight from the same original point of departure, to a station at a greater distance on the road of either of them in the same direction. This shall not be construed as compelling railroad corporations to make joint rates.

§ 3. No railroad corporation shall by the grant or allowance of any secret rate, secret rebate, or secret drawback upon the transportation of freight, or by any other unreasonable allowance for the use of cars, or by any other undue advantage whatever, indirectly charge to or receive from any person or persons, or association or corporation for the transportation of freight to any station on its road any greater sum, compensation or reward than is charged to or received from any other person or persons, association or corporation for like and contemporaneous service in the receipt, transportation, storage, delivery, or handling of freight of the like kind and quantity, under like circumstances and conditions, from the same original point of departure to a station at a greater distance on its road in the same direction.

§ 4. Any railroad corporation which knowingly violates any of the provisions of this act, in addition to liability for all damages sustained by reason of such violation, to be recovered by the party aggrieved, shall be liable to a penalty of \$50, which may be recovered in an action of tort, to be brought in the name of the people of this State, in any county where such corporation has property, at the instance of the State Engineer and Surveyor, to the use of the State by the Attorney-General; provided, however, that no such action shall be maintained unless the same shall be brought within six months from the date of such violation. The transportation of coal coming into this State or passing through it shall be exempted from the operation of this act.

§ 5. Nothing in this act shall be so construed as to prevent railroad corporations from making rates or carrying free of charge for the State, county, town or world fairs, or for charitable purposes, and the rates made for such purposes shall not be held or construed to be the charge or receipt for transportation of freight under the provisions of this act.

§ 6. This act shall take effect on the first day of July, 1880.

Said bill was laid on the table.

The Senate returned Assembly bill, printed No. 668, entitled "An act in relation to the opening, regulating and grading of 126th and 127th streets in the city of New York," with a message that they have concurred in the passage of the same with the following amendments:

Section 1, line 12, insert at end thereof the following, viz.: "And excepting the proviso at the end of section 1 of chapter 81 of the Laws of 1816."

Add at end of section 3 the following: "Any assessments imposed

either for the opening or otherwise improving either of said streets, shall be borne by the property abutting on said streets respectively, from the Fifth avenue to the Harlem river."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative.

{ AYES 106 }
{ NOES 1 }

Those who voted in the affirmative, were

| | | | |
|------------------|------------|----------|-----------------|
| Alvord | Curtis | Lefever | Sheridan |
| Andrews | Cushing | Liddle | Sherman |
| Baker, B. F. | Davis | Lindsay | Shuit |
| Baker, C. S. | Deane | Low | Sipp |
| Beach | Dougherty | McAvoy | Sisson |
| Beates | Douglass | McCabe | Skinner |
| Benedict, E. D. | Duell | McCarthy | Slingerland |
| Benedict, T. E. | Duguid | McDonald | Steele |
| Bradley | Ellis | McTernan | Strait |
| Brennan | Evans | Mead | Tallmadge |
| Bridges | Ferris | Miller | Terry |
| Brodsky | Fish | Mitchell | Torney |
| Bullock | Fiske | Mooers | Tozier |
| Carpenter, E. A. | Fitzgerald | Newman | Travis |
| Carpenter, I. S. | Gibbs | Nowlan | Treanor |
| Case | Gillette | Peck | Tuthill, H. H. |
| Chamberlain | Gorsline | Phillips | Tuttle, R. M. |
| Chase | Gray | Pitcher | Van Valkenburgh |
| Chickering | Griggs | Potter | Varnum |
| Childs | Grosse | Potts | Warner |
| Clark | Hayes | Rhodes | Waterbury |
| Clowes | Hoffman | Roberts | Wells, D. A. |
| Cohen | Howland | Root | Wells, J. L. |
| Comstock | Hurd | Russell | Weston |
| Congdon | Husted | Sanders | Wiley |
| Cookinham | Ingersoll | Seeley | Wren |
| Crapser | Kennedy | | |

Those who voted in the negative, were

Cullinan

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

Mr. Andrews offered for the consideration of the House a resolution in the words following:

Resolved, That the committee of the whole be discharged from the consideration of Assembly bill No. 818, entitled "An act to prohibit disfranchisement," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

A message from the Senate was received and read informing of concurrence in the following bills:

"An act to amend chapter 633 of the Laws of 1875, entitled 'An act to amend the charter of the city of Brooklyn, being the act for that purpose passed June 28, 1873, and the act for that purpose passed June 1, 1874.'"

"An act to amend chapter 133 of the Laws of 1847, entitled 'An act authorizing the incorporation of rural cemetery associations,' passed April 27, 1847."

"An act relating to fees, percentages and allowances of public offi-

cers a burden upon and a charge against the various cities of the State."

"An act to incorporate the 'Empire Yacht Club' of the city of New York."

"An act for relief of Isaac Piser."

"An act granting the consent of the State of New York to the purchase by the United States of certain lands, pond and rights for the purpose of increasing the water supply of West Point, New York, and ceding jurisdiction over said lands and pond."

"An act in relation to the opening, regulating and grading of 126th and 127th streets in the city of New York."

"An act releasing all the right, title and interest of the people of the State of New York to and in certain lands in the city of Brooklyn, eastern district, formerly town of Bushwick, county of Kings, formerly lying in the East river."

"An act to reduce and fix the rate of interest on bonds and mortgages held by the commissioners of the United States Deposit Fund in the several counties of the State."

"An act to amend chapter 444 of the Laws of 1876, entitled 'An act to establish a State Board of Audit and to define its powers and duties.'"

"An act to amend chapter 240, Laws of 1827, entitled 'An act for incorporating an aqueduct association in the village of Cooperstown, in the county of Otsego.'"

"An act to compel the maintenance of certain lights on draw bridges across the Hudson river."

"An act to require banks, banking associations and individual bankers to redeem and retire their circulating notes, and to authorize the superintendent of the banking department to return the securities held by him to secure such circulation."

"An act to provide for the payment of the salary and legal expenses of George W. Morton, an excise commissioner in the city of New York."

"An act for the relief of Babette Stemmler."

"An act to encourage improvement in steam propulsion upon the Champlain canal."

"An act to provide for the revision, amendment and consolidation of the act entitled 'An act to provide for the enrollment of the militia, for the organization of the National Guard of the State of New York, and for the public defense, and entitled 'the Military Code,' and of all acts amendatory thereof and supplemental thereto, or relating to the organization and government of the militia of the State.'"

"An act to amend chapter 259 of the Laws of 1848, entitled 'An act to provide for the incorporation of bridge companies,' passed April 11, 1848."

"An act to provide for the taxation of life insurance companies."

"An act to amend chapter 520 of the Laws of 1865, entitled 'An act to amend title 1 of chapter 16 of the first part of the Revised Statutes, in regard to roads and bridges and the appointment of overseers of highways.'"

"An act to incorporate the Supreme Council of Royal Templars of Temperance, and to provide for the organization of select councils, and a grand council for the State of New York."

"An act relating to the title to personal property."

"An act to amend section 1323 of the Code of Civil Procedure."

"An act to amend chapter 824 of the Laws of 1873, entitled 'An act to amend section 19 of chapter 570 of the Laws of 1872, entitled 'An act to ascertain by proper proofs the citizens who shall be entitled to the right of suffrage in the State of New York, except in the city and county of New York and the city of Brooklyn, and to repeal chapter 572 of the Laws of 1871, entitled 'An act to amend an act entitled 'An act in relation to elections in the city and county of New York.'"

"An act to authorize the improvement of the public squares, parks or places in the Fourth avenue between 67th and 96th streets in the city of New York."

"An act to exempt the county of Sullivan from so much of the provisions of chapter 20 of part 1 of title 1 of the Revised Statutes, as provides for the appointment of poor-house keepers."

"An act in relation to the opening of streets, avenues and public parks or places in the city of New York."

"An act providing for the appointment of an additional number of commissioners of deeds in the city of New York."

"An act to amend chapter 554 of the Laws of 1873, entitled 'An act amending chapter 837, Laws of 1868, and chapter 623, Laws of 1869, in reference to the laying out, opening and continuing Bushwick avenue, in the town of New Lots, Kings county.'"

"An act to amend section 11 of an act entitled 'An act to incorporate the Society for the Relief of Half Orphan and Destitute Children in the city of New York.'"

"An act to amend chapter 332 of the Laws of 1875, entitled 'An act to amend chapter 610 of Laws of 1873, entitled 'An act to authorize the sale of lands for non-payment of taxes and for the collection of unpaid taxes in the several towns of the county of Westchester.'"

"An act authorizing certain officers of the town of Orleans to issue bonds to pay indebtedness of said town."

"An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors.'"

"An act to amend section 2 of chapter 405 of the Laws of 1879, entitled 'An act to amend sections 2 and 10 of chapter 248 of the Laws of 1878.'"

"An act to amend chapter 26 of the Laws of 1878, entitled 'An act authorizing the city of Kingston to issue bonds for the purpose of creating a fund to pay the principal of the bonded indebtedness of said city, falling due in the years 1879, 1880, 1881 and 1882, and its proportion or quota of the bonded indebtedness of the county of Ulster falling due in said years.'"

"An act to abolish the office of marshal of the city of New York and to provide for the appointment of officers in lieu of marshals in said city, and making certain regulations concerning the same."

"An act to amend chapter 8 of part 3 of the Revised Statutes, entitled 'Of distraining cattle and other chattels doing damage, and of distraining in other cases.'"

"An act amending subdivision 7, chapter 448 of the Laws of 1876, commonly known as the Code of Civil Procedure."

"An act to amend section 9, title 1, chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages.'"

"An act to amend chapter 426 of the Laws of 1847, entitled 'An act to provide for the incorporation of villages,' so far as the same relates to the village of Corning, in the county of Steuben."

"An act to provide for payment of the expense of certain proceedings against public officers in the city of New York."

"An act for the better security of the bonds of public officers and others."

"An act relating to certain assessments for local improvements in the city of New York."

"An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers.'"

"An act to amend section 435 of the Code of Civil Procedure."

"An act to re-enact and amend the charter of the city of Yonkers and to repeal chapter 579 of the Laws of 1875, entitled 'An act to provide for the construction of sewers in the city of Yonkers.'"

"An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game.'"

"An act in relation to the superintendents of the poor of the county of Westchester, and the keeper of the county house in said county."

"An act for the appointment of game and fish protectors."

"An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages.'"

"An act to regulate voting by stock and bondholders of railroad corporations."

"An act to provide for the bringing of actions for relief in certain cases where agreements, contracts and instruments in writing have been recorded."

"An act to authorize Henry Fordham and George W. Tuttle to establish, maintain and operate a ferry across the Great South bay, in Suffolk county."

"An act establishing an agricultural experiment station."

"An act to provide for leasing wharf property necessary for ferry purposes along with the franchise of a ferry within the city of New York."

"An act entitled 'An act to regulate the licensing of physicians and surgeons.'"

"An act in relation to the partition of lands held by husband and wife as joint tenants, tenants in common, or as tenants by entireties."

"An act to amend chapter 381 of the Laws of 1877, entitled 'An act to amend chapter 896 of the Laws of 1869, entitled 'An act to incorporate the Crescent Company, and to extend the time within which the company thereby created may commence operations,' passed June 2, 1877, and to further extend the time within which said company may commence operations.'"

"An act to release to Ellen Kennedy and others the right, title and interest of the people of the State of New York in and to certain real estate in the county of Madison, of which Richard Kennedy died seized."

"An act to amend an act entitled 'An act to authorize the formation of railroad corporations, and to regulate the same,' passed April 2, 1850."

"An act to grant relief to the sureties of trustees appointed by the supreme court of the State of New York."

"An act to authorize trustees of religious corporations to arrest persons disturbing religious meetings."

"An act to amend sections 4 and 5 of title 2 of chapter 714 of the Laws of 1869, entitled 'An act to incorporate the city of Watertown.'"

"An act in relation to the sale and conveyance of any interest in real estate belonging to idiots or lunatics or habitual drunkards."

"An act in relation to receivers of insolvent corporations."

"An act supplemental to chapter 326 of the Laws of 1874, entitled 'An act to provide for improvements in and adjoining the first ward in Long Island City.'"

"An act in relation to arrears of regular rents and charges for Croton water in the city of New York."

"An act to amend chapter 335 of the Laws of 1873, entitled 'An act to reorganize the local government of the city of New York, and to reduce the burden of taxes to be levied in said city.'"

"An act to ascertain by proper proofs the citizens who shall be entitled to the right of suffrage in cities of 16,000 inhabitants or upwards, and the towns and villages abutting against the boundary of any such cities."

"An act to amend the Code of Criminal Procedure."

"An act to authorize the commissioner of highways of the town of Newark Valley, in the county of Tioga, to ascertain and establish the location of the several highways situated in the said town, and to reduce descriptions thereof to writing, and to have the same recorded in the office of the town clerk of said town in the place of the records thereof destroyed by fire on the 15th day of October, 1879."

"An act to legalize the official acts of Henry G. Wood, as notary public."

"An act to transfer the duties of the bonding commissioners of the city of Poughkeepsie, appointed by an order of the county court of Dutchess county on the 30th day of July, 1870, to the common council of the city of Poughkeepsie."

"An act to incorporate the Grand Lodge Knights of Honor of the State of New York."

"An act in relation to the Methodist Episcopal Church Home in the city of New York."

"An act to provide for the payment to Mrs. Ann Church, widow of the late Sanford E. Church Chief Judge of the Court of Appeals, the chief judge's salary for the unexpired portion of the year 1880, since the decease of the late chief judge."

"An act in relation to Furman street in the city of Brooklyn."

"An act making appropriations for the payment of certain awards made by the State Board of Audit."

"An act to extend the term of office of the improvement commissioners in Long Island City, for the purpose of completing certain improvements heretofore authorized."

"An act to amend chapter 33 of Laws of 1878, entitled 'An act to amend chapter 516 of the Laws of 1867, entitled 'An act for the further protection of female employees in the city of New York, and chapter 175 of the Laws of 1878, entitled 'An act to amend section 2, chapter 33 of the Laws of 1878, entitled 'An act to amend chapter 516, Laws of 1867, entitled 'An act for the further protection of female employees in the city of New York and supplemental thereto.'"

"An act to exempt the town of Henderson from the provisions of chapter 817 of the Laws of 1873, entitled 'An act to provide for the support of the poor in the county Jefferson, and to confirm the actions of the legal voters of said town in the election of an overseer of the poor.'"

"An act to amend chapter 18 of the Laws of 1862, entitled 'An act to revise the charter of the city of Utica, as amended by chapter 371 of the Laws of 1876, entitled 'An act to amend chapter 18 of the Laws of 1862, entitled 'An act to revise the charter of the city of Utica.'"

"An act supplementary to chapter 836 of the Laws of 1872, entitled 'An act to regulate places of public amusement in the city of New York.'"

"An act to provide for the election of a messenger for the common council of the city of Brooklyn."

"An act to authorize the trustees of the village of Piermont, in the county of Rockland, to macadamize the highway in said village."

"An act to amend chapter 80 of the Laws of 1870, entitled 'An act to provide for the enrollment of the militia for the organization of the National Guard of the State of New York, and for the public defense, and entitled 'The Military Code.'"

"An act to abolish the office of railroad commissioners of the town of Augusta, in the county of Oneida, and to authorize the supervisor of said town to discharge the duties now pertaining to said office."

"An act to amend chapter 431 of the Laws of 1875, entitled 'An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof.'"

"An act to provide ways and means for support of government."

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the following resolutions:

Whereas, The boundary line between the counties of Kings and Queens, from where the corporation line of the city of Brooklyn ends at the town of New Lots, Kings county, to the Atlantic ocean, is undefined and unsettled, and is a constant source of dispute; and,

Whereas, No commission appointed by the Legislature has ever been able to agree as to a proper line between the said counties of Kings and Queens;

Resolved (if the Senate concur), That the representatives now in the Assembly from the twelfth district of Kings, and from the second district of Queens, shall constitute a committee who, together with two reputable civil engineers whom they shall have power to employ, shall investigate and examine into the matter of where said boundary line is intended to be. They shall cause the same to be properly mapped, and shall report the result of their investigation and examination to the next Legislature for proper action to cause the same to be permanently fixed and described. They shall hold sessions during the recess of the Legislature for completing such investigation and examination, and shall have power to employ counsel and a clerk and to send for persons and papers during such time, and shall hold such sessions in the towns of New Lots and Jamaica, as such committee shall deem most convenient and desirable.

Mr. Pitts, from the committee on the part of the Senate, appeared before the bar of the House and stated that the Senate had performed its labor and were ready to adjourn.

Mr. Husted offered for the consideration of the House a resolution in the words following:

Resolved, That the Clerk be directed to prepare and furnish 1,200 copies of the Clerk's and Crosswell's Manual, for the regulation of business in the Assembly, and that he distribute such copies in the following manner, viz.: One copy to each of the members of the next Legislature to be forwarded to them previous to the meeting of the next Legislature, and the remainder to be retained by the Clerk subject to the order of the next Assembly, and to be delivered to the Clerk thereof.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The Speaker announced the following appointments pursuant to chapter 379 of the Laws of 1879:

To remain after the session: William N. Haskell, Speaker's Clerk; John G. Blampied, Asst. Postmaster; Anderson D. Lawrence, Clerk's Messenger.

To attend at the opening of the next session: Assistant Doorkeepers—John Christie, David Goddell, George Coughtry. Messengers—James H. Manville, Bank Messenger; Anderson D. Lawrence, Clerk's Messenger. Pages—Ralph Murdock, Frank Hull, William Hogan, Winfield S. Stoue, Charles L. Fosdick, Daniel Morrison.

Mr. Rhodes offered for the consideration of the House a resolution in the words following:

Resolved, That the thanks of the members of this Assembly be and are hereby tendered to the Hon. George H. Sharpe for the courteous, impartial and patient manner in which he has presided, as Speaker, over the Assembly of 1880.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Treanor offered for the consideration of the House a resolution in the words following:

Resolved, That the thanks of the members of this Assembly be and are hereby tendered to Edward M. Johnson for the careful, faithful and efficient discharge of the duties of his office as Clerk of this House.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Clancy offered for the consideration of the House a resolution in the words following:

Whereas, By due trial and strict examination the Assistant Clerks, Engrossing Clerks, Messengers, Sergeant-at-Arms, Pages, etc., have, during the present session of the Legislature, showed the utmost esteem and respect toward the members of this House, been efficient in the discharge of their duties, and have done and performed every thing in their power toward promoting the welfare of the members individually, and promoting, by their skill and endurance, the business of the House; therefore,

Resolved, That the thanks of this House be and they are hereby tendered to the Assistant Clerks, Engrossing Clerks, Sergeant-at-Arms, Doorkeepers, Messengers, Pages, etc.; and be it further

Resolved, That a copy of this preamble and resolutions be entered in full upon the journal of this House.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker resumed the Chair and addressed the House in words following :

GENTLEMEN -- I do not intend to trust myself any further in the expression of gratitude which your kindness to me has called forth. I have, however, one duty to perform. Perhaps I have seen every member of the House more often and more continuously than any other member. I am, therefore, fully impressed with the exceptional spirit which exists among these members. Perhaps no body of men ever came to Albany and left it with higher regard, each for the other. I therefore beg leave to convey from each one of you to the other a wish for your health, happiness and prosperity; that you may return, each to an unbroken family, blessed by the smiles of Almighty God. And now, gentlemen, in performance of the last duty and by virtue of the joint resolution of the two Houses of this Legislature, I declare this House adjourned without day.

E. M. JOHNSON, *Clerk.*

ERRATA.

Page 1046, line 10, after the word "resolved" strike out the words
"if the Senate concur."

INDEX.

| A. | | PAGE. |
|---|-----------|-------|
| Absence, leave of, to Mr. Andrews | | 320 |
| Mr. Ash..... | | 915 |
| Mr. Baker | | 59 |
| Mr. C. S. Baker..... | | 488 |
| Mr. Brennan | | 429 |
| Mr. Bullock | | 1534 |
| Mr. I. S. Carpenter..... | | 223 |
| Mr. Case..... | | 331 |
| Mr. Catlin..... | | 1368 |
| Mr. Chamberlain | | 1475 |
| Mr. Childs..... | | 858 |
| Mr. Clark | | 238 |
| Mr. Clowes | | 893 |
| Mr. Congdon..... | | 579 |
| Mr. Cookinham | 361, | 915 |
| Mr. Costello..... | | 1475 |
| Mr. Crapser..... | | 1013 |
| Mr. Curtis..... | | 88 |
| Mr. Davis | | 1043 |
| Mr. Duell..... | | 118 |
| Mr. Duguid | 126, 331, | 417 |
| Mr. Ellis..... | | 331 |
| Mr. Ferris..... | | 237 |
| Mr. Gillette..... | 96, | 481 |
| Mr. Gorsline..... | | 189 |
| Mr. Grosse..... | 816, | 915 |
| Mr. Gwinup | | 481 |
| Mr. Hayes..... | | 915 |
| Mr. Kennedy..... | | 417 |
| Mr. Low | | 59 |
| Mr. McCarthy | | 249 |
| Mr. McDonald..... | | 429 |
| Mr. Mooers..... | | 249 |
| Mr. Morgan | | 1054 |
| Mr. Newman | | 67 |
| Mr. Potter..... | | 164 |
| Mr. Rhodes..... | | 269 |
| Mr. Roberts | | 915 |
| Mr. Russell..... | 57, | 109 |

| | PAGE |
|---|--|
| Absence, leave of, to Mr. Sanders | 960 |
| Mr. Shuit | 1475 |
| Mr. Slingerland | 304 |
| Mr. Steele | 189 |
| Mr. Tozier | 59, 83, 303, 977 |
| Mr. Treanor | 456 |
| Mr. Tuthill | 172 |
| Mr. Warner | 164, 304 |
| Mr. Waterbury | 1475 |
| Mr. Weston | 712 |
| Mr. Wren | 144, 548 |
| Mr. Youngs | 304, 755 |
| Abatement of actions, to prevent, and survival of claims, to provide for | 507 |
| Abortions, prevention of procurement of, act relating to, to amend | 164, 199, 464, 572, 588, 648, 1248, 1435 |
| Actions for relief in certain cases of instruments recorded, to provide for | 344, 581, 922, 1049, 1190, 1875 |
| or suits, certain, revival of. (See Suits, or Actions.) | |
| Acts and parts of acts, certain, chap. 417, Laws of 1877, repealing, further to amend | 34, 79, 181, 190, 234, 424 |
| relating to taxation, certain, to repeal | 28, 346 |
| Acts, certain, and parts of acts, to repeal, 78, 276, 477, 478, 496, 1149, 1163, 1212 | |
| of Legislature, distribution of, to town clerks' offices, relating to | 119, 247, 348, 366, 375, 412, 524 |
| Adoption of children, act relative to, to amend | 488 |
| Adulterated articles, sale of, to prevent. (See Vinegar, adulterated.) | |
| Adulteration of milk, act relating to, amending. (See Milk.) | |
| Afton, bridge over the Susquehanna at, act relating to, to amend | 345, 514 |
| Agricultural experiment station, to establish | 310, 609, 1378, 1452 |
| | 1599, 1875 |
| Agricultural societies, formation of, to facilitate .. | 497, 553, 896, 1438 |
| | 1567, 1575 |
| Albany city : | |
| annexation of Bethlehem and Watervliet, relating to ... | 173, 271, 721, 835, 889, 965, 1268, 1383, 1425, 1444, 1638, 1708 |
| arsenal, and property therein, repairs to, providing for, 1686, 1706 | |
| | 1763 |
| bonds for South Pearl street improvement, relating to .. | 194, 271 |
| | 721, 919, 1049, 1181, 1365 |
| bridge across Hudson at, act for, to amend | 398, 796 |
| charter of, act amending and repealing act to establish capital police district, to amend | 88, 149, 191, 224, 284, 343 |
| city building, erection of, to authorize, 369, 806, 854, 959, 1191, 1435 | |
| Delaware avenue, grading and planking, for the .. | 417, 498, 547 |
| | 837, 889, 1002, 1263, 1366 |
| instruction, public, board of, act amending law relating to, to amend | 757, 776 |
| liquors, intoxicating, sale of, act of 1870 relating to, further to amend | 762, 979 |
| police force, relating to | 57, 763 |

| | PAGE. |
|--|-----------------------------------|
| Albany city: | |
| public building, site for and construction of, relating to..... | 488 |
| school property, certain, sale of, relating to ..131, 177, 267, | 583 |
| 621, | 750 |
| Washington park, relating to..... | 638, 1099, 1557 |
| Albany county, board of charities for, to create..... | 821, 1007 |
| clerk of, certain records, to sign..... | 252, 529 |
| plank-roads, act authorizing additional tolls on, to repeal.... | 111 |
| Albion, charter of, to amend | 832, 1005, 1222 |
| Aliens, real estate to purchase and hold, to authorize...677, 850, | 1091 |
| resident, title of, to real estate, to confirm....127, 296, 699, | 759 |
| 778, 939, | 1761 |
| Biegen, Peter M., lands to, releasing..... | 1299, 1316, 1331, 1475 |
| Bradley, Mary S., lands to, to release....148, 273, 365, 366, | 375 |
| 433, 675, | 703 |
| Cockburn, Mary, lands to, to release..... | 1004, 1080 |
| Dodge, Charles, widow and children of, lands to, to release, | 697 |
| 838, 980, 1065, | 1492 |
| Johnson, Catharine, lands to, to release..... | 543, 603, 838, 862 |
| 1064, | 1472 |
| Johnson, Nanette, lands to, to release | 608, 680, 1008, 1218 |
| 1229, | 1435 |
| Kennedy, Ellen, lands to, to release...89, 272, 620, 692, 748, | 1702 |
| 1875 | |
| Marrin, Francis, lands to, to release, 252, 272, 620, 692, 746, | 1711 |
| Mooney, Mary Jane, lands to, to release. 219, 270, 403, 422, | 433 |
| 444, | 1163 |
| Porter, E. B. and E. D., lands to, to release.... | 821, 828, 961 |
| Ryan, Mary, lands to, to release | 252, 693, 749, 1456, 1637 |
| Shinn, Ann Margaret, estate of, to Philadelphia Eye and Ear | |
| Infirmery, releasing | 895, 1006, 1147, 1317, 1342, 1540 |
| Stewart, Julia E., lands to, to release..... | 347, 371 |
| Wundus, Emily, lands to, to release..36, 273, 620, 692, 752, | 1267 |
| Allegany and Stenben counties, tipping in, to suppress, 350, 551, | 723 |
| 843, 980, | 1393 |
| American Jersey Cattle Club, incorporation of, for the, 128, 222, | 348 |
| 360, 362, | 859 |
| Amusement, places of. (See Places of Amusement.) | |
| Ancient Order of United Workmen. (See Workmen.) | |
| Animals, care of, relating to | 364, 500, 557, 620, 692, 731 |
| infectious and contagious diseases among, suppression of, | |
| communication concerning..... | 55 |
| suppression of, making appropriation for..80, 111, 123, | 139 |
| 223 | |
| running at large on highways, act relative to actions as to, | |
| to amend | 497, 979, 1091, 1146, 1342, 1400 |
| vivisection of, to prevent..... | 66, 73, 333 |
| Annoyance, malicious, to prevent..... | 545, 723, 835, 861, 973, 1268 |
| Appeals to the court of appeals, to restrict..240, 598, 909, 1124, | 1241 |
| 1277 | |
| Apple barrels, dimensions of, to regulate..... | 608, 679, 983 |
| dimensions of, to regulate..... | 797, 807, 867, 1036, 1057, 1157 |
| 1235, 1617, | 1821 |

| | PAGE. |
|---|-------------------------------------|
| Apple barrels, dimensions of, to regulate..... | 1442, 1558 |
| Appropriation bill. (See Government, support of.) | |
| Arcanum, Royal. (See Royal Arcanum.) | |
| Assembly Chamber, use of, granted to State Medical Society... | 102 |
| Assembly, clerk of, Edward M. Johnson elected..... | 8, 9 |
| committees of, standing..... | 41 to 46 |
| standing, clerks of..... | 46 |
| organization of..... | 6 |
| reporters of..... | 56 |
| rules of last, adopted..... | 10 |
| sessions of, hour for beginning..... | 25, 37 |
| Speaker of. (See Speaker.) | |
| Assessment and taxation of all property. (See Taxation.) | |
| Assessments, commutation of, rate for, to fix..... | 165 |
| illegal and erroneous, review and correction of, to provide for..... | 377, 530, 825, 844, 951, 1085, 1204 |
| Revised Statutes relative to, to amend. (See Revised Statutes.) | |
| Assignments by insolvents, act relating to, to amend..... | 546 |
| act relating to, to amend..... | 226 |
| Asylums, children in, care of. (See Children.) | |
| of the State, admission of persons not paupers, to permit.. | 527 |
| | 618, 903, 981, 1154, 1637 |
| Asylum, the Protestant Infant, maintenance of inmates of, relating to..... | 77, 602 |
| Athens, village of, relating to..... | 1474, 1671 |
| Attachment by garnishment, to provide for..... | 112, 597 |
| Attica, town of, and Java, indebtedness of, relating to.. | 609, 678, 894 |
| | 942 |
| old burial ground in, relating to..... | 756, 803, 1289, 1413 |
| village of, charter of, amending..... | 870, 1005, 1289, 1412 |
| charter of, to amend..... | 307, 308, 347, 358 |
| proceedings of board of trustees of, to confirm.... | 377, 401 |
| | 468, 748 |
| Attica Water Company, purchase of gas works by, to authorize, | 109 |
| | 170, 225, 316 |
| Attorneys and counselors at law, removal or suspension of, relating to..... | 528, 598, 1012, 1452 |
| Auburn, certain lands, may take.... | 110, 221, 365, 366, 416 |
| charter of, to amend..... | 762 |
| charter of, to amend..... | 767, 852, 903, 1135 |
| county taxes in, time for collection of, to extend... | 309, 310, 333 |
| First Baptist church, real estate, to convey..... | 1441, 1642 |
| St. Joseph's cemetery, to incorporate..... | 1442, 1643 |
| State prison, moneys for, appropriating..... | 52, 122 |
| street railroad in, act for construction of, amending..... | 660 |
| Audit, board of, act establishing, to amend, 1298, 1321, 1552, 1801, | 1873 |
| act establishing, to repeal..... | 1298 |
| awards by, certain, payment of, 1473, 1645, 1738, 1744, 1860, | 1876 |
| awards made by, payment of..... | 860, 969, 1232 |
| certain claims of Monroe county, to settle. (See Monroe.) | |
| Augusta, town of, railroad commissioner of, office of, to abolish, | 336 |
| | 467, 576, 590, 708, 1877 |

B.

PAGE.

| | |
|---|---|
| Baldwinsville, general village incorporation act, to amend as to | 36 |
| 79, 110, 123, 134, 173, 189, 190, 193, | 223 |
| Ballots, uniform, to secure, 61, 471, 482, 556, 605, 687, 826, 881, | 1398 |
| Ballou, Theo. P., for relief of | 71, 222, 721, 839, 862, 1016, 1709 |
| Bank Department, deposit of stocks in, relating to, 417, 506, 584, | 753 |
| 835, 973, 1206, | 1285 |
| Banking, associations, shareholders in, assessment of, for deficits | |
| in capital, relating to | 417, 506, 584, 1146, 1395, 1647, 1847 |
| business of, to authorize, act of 1870 relating to, amending, | 1428 |
| 1557, 1789, 1799, | 1816 |
| laws, compilation of, to provide for, 252, 376, 446, 477, 496, | 578 |
| | 1042 |
| Bankruptcy, discharge in, supplemental pleading of | 470, 597, 1324 |
| 1507, | 1814 |
| Banks, and capital engaged in banking, taxation of, for, 1687, | 1796 |
| | 1852 |
| notes of, redemption and retirement of, to compel, 286, 401, | 905 |
| 981, 1164, | 1873 |
| State, shareholders of, to place on equality as to taxation, 819, | 954 |
| taxation of, to provide for | 662 |
| Bath, charter of, amending | 870, 1005, 1222, 1398, 1614 |
| Bath-on-the-Hudson, charter of, to amend | 484 |
| Benevolent, charitable, scientific and missionary societies, act for | |
| incorporation of, to amend | 218, 724, 842, 1067 |
| acts for incorporation of, amending | 895, 951, 1512, 1669 |
| Benevolent institutions, appointments to, report of, providing for, | 586 |
| 795, 919, 1144, | 1343 |
| Bequests of a charitable or public character, to protect | 146, 226 |
| Berlin and Brunswick, towns of, transfer of, as to school com- | |
| missioner's district | 240, 402, 482, 531, 584, 722, 921, 1187 |
| Biegen, Peter. (See Aliens.) | |
| Bierce, Stanley M., appointment of, as notary public, relating to, | 165 |
| 328, 342, | 381 |
| Bills, certain, license fee on. (See License.) | |
| on vessels, rates for disbursing, to establish | 146 |
| Binghamton, charter of, to amend | 975 |
| charter of, to amend | 1045 |
| charter of, to amend, 912, 1080, 1317, 1442, 1451, 1538, 1709, | 1843 |
| charter, to amend | 1330, 1335, 1575, 1837 |
| Chenango canal, use of, for street, relating to, 606, 886, 939, | 940 |
| 1021, | 1138 |
| mayor of, additional powers upon, conferring | 219, 271, 487 |
| Binghamton Insane Asylum, additional trustees for, relating to, | 238 |
| 295, 364, 365, | 411 |
| Births not hitherto registered, registration of, to authorize | 820 |
| Blind, New York State Home for, to establish | 66, 289, 339 |
| State Home for, site for, selection of, relating to | 496, 850 |
| Blivin, John Bradley, acts of, to legalize, 146, 334, 467, 717, 779, | 831 |
| Blooming Grove and Chester, low lands in, act for drainage of, to | |
| amend | 987, 1301, 1475, 1854 |
| Blossburgh Coal Company, real estate, to hold | 606, 691, 1010, 1235 |
| Board of Audit. (See Audit.) | |

| | PAGE. |
|---|-----------------------------------|
| Board of Home Missions of the Presbyterian Church, charter of, to amend..... | 661, 803, 879, 881, 949, 1201 |
| Bodies, dead, transit and burial of, relating to..... | 192, 402 |
| Bonds, certain, for the recording of..... | 71, 199, 464, 577, 590, 727 |
| issued in aid of railroads. (See Railroad Bonds.) | |
| Boonville, certain officials of, acts of, to legalize, 36, 74, 88, 98, 106, | 1435 |
| Bradley, Mary S. (See Aliens.) | |
| Brady, James B., for relief of..... | 976, 1099, 1324, 1507, 1511, 1786 |
| Bridge companies, act authorizing, to amend, 35, 200, 923, 1049, | 1195 |
| act for incorporation of, amending..... | 1873, 660 |
| Bright, George, estate of, distribution of, to facilitate, 1238, 1492, | 1772 |
| Broadalbin, town of, commissioners of excise of, acts of, to confirm...543, 687, 909, 1036, 1157, 1260, 1472, 1559, 1616, 1638, | 1779 |
| Brockport, bridge over Erie canal at, to authorize, 111, 287, 538, | 846 |
| 969, 1075, 1162, 1269, 1297, | 1380 |
| Normal school, local board of, quorum of, to establish, 430, | 456 |
| 539, | 1042 |
| Brokers and commission merchants. (See Commission Merchants.) | |
| Bronx river, bridges over, relating to...197, 272, 427, 428, 433, | 446 |
| 876, | 949 |
| Brookhaven, town of, officers in, relating to..... | 295, 979 |
| Brooklyn and Kings county. (See Kings.) | |
| and New York. (See New York.) | |
| Atlantic avenue, repavement of..... | 713 |
| baths, public, relating to..... | 586, 715 |
| board of health, relating to..... | 218, 1143, 1422, 1586, 1872 |
| Bridge Street African church, assessments upon property of, payment of..... | 89, 270, 579, 620, 692, 740, 1708 |
| Buchenberger, Frederick J., title of, to certain real estate, confirming..... | 1240, 1408 |
| buildings, inspection of, relating to..... | 127 |
| charter of, amending..... | 34, 373 |
| amending..... | 132, 373 |
| amending..... | 482, 531 |
| for amendment of..... | 34, 121, 172, 181, 212, 331 |
| (See Veto.) | |
| to amend..... | 90, 400, 1043, 1373, 1468 |
| to amend..... | 332, 689, 1343, 1457, 1576 |
| to amend, 409, 616, 1103, 1134, 1329, 1595, 1662, 1688, | 1692 |
| 1749 | |
| children's park, to establish..... | 197, 1431 |
| common council, messenger for, election of, for..... | 1811, 1877 |
| elections, to regulate..... | 463, 616, 1047, 1491, 1770 |
| elevated railroads in certain streets, construction of, to prohibit, 371, 531, 765, 790, 828, 952, 1307, 1455, 1487, | 1662 |
| 1694, 1748 | |
| compensation for damages caused by, to provide.... | 64, 113 |
| Equity Gas-light Company, name of, to change, 418, 679, 1324 | |
| 1503, | 1781 |
| Exempt Firemen's Association, to incorporate, 64, 179, 180, | 689 |
| Exempt Firemen's Charitable Association, to incorporate, | 64 |
| 179, 180, | 714 |

Brooklyn:

PAGE.

| | | |
|---|------------------------------------|------|
| Fourth avenue, relating to... | 394, 475, 761, 916, 1121, 1177, | 1341 |
| Furman street, relating to..... | 1373, 1392, 1567, | 1876 |
| Grand street, paving of... | 97, 220, 515, 574, 590, 657, 1245, | 1365 |
| government of, better and more economical, for the.... | 77, | 713 |
| for the better..... | 239, | 713 |
| in relation to..... | 48, 432, 474, 490, 506, 521, 594, | 1417 |
| relating to..... | 438, | 715 |
| Gowanus canal, draw-bridges over, relating to..... | | 425 |
| harbor masters, certain policemen as, act of 1877 in relation to, to amend..... | 377, 514, 558, 834, | 965 |
| high school, to establish..... | 1240, | 1538 |
| highway, certain, extension of, to Newtown..... | 89, 149, | 187 |
| justices of the peace and local inferior courts, relating to, 33, | | 72 |
| | 129, 149, 191, 224, 280, 1374, | 1436 |
| lands, certain, board of education to sell..... | | 660 |
| formerly lying in East river, interest of State in, to re-lease..... | 543, 598, 1148, 1423, 1647, | 1873 |
| title of, to vest in Reformed Dutch church of Bushwick, | | 183 |
| officers of, fees, etc., of, act of 1879 relating to, to amend, | | 425 |
| | | 714 |
| park lands, sale of, relating to..... | | 488 |
| parks, further appropriation for, making.. | 868, 1431, 1432, | 1607 |
| | 1670, 1697 | |
| property incumbered by taxes, to relieve..... | 392, 431, | 713 |
| Prospect avenue, awards for widening, payment of.... | 1534, | 1606 |
| damages caused by change of grade, payment of.. | 1298, | 1432 |
| widening of, damages by, to pay..... | 1298, | 1432 |
| Prospect park, portions of, to sell..... | 38, | 373 |
| State and county taxes raised in, payment of, to county treasurer. | 64, 85, 130, 155, 157, | 267 |
| streets, cleaning of, relating to..... | 1442, 1812, | 1859 |
| sewers, and sewer basins, cleaning of, relating to. | | 1298 |
| taxes and assessments, certain unpaid, relating to.. | 311, 373, | 713 |
| collection of, part of act relating to, to repeal..... | 48, | 713 |
| collection of, section 1 of act relating to, to amend.... | | 660 |
| unpaid, arrearages of, for collection of..... | 311, | 532 |
| unpaid, relating to..... | 340, 400, | 713 |
| unpaid, relating to | 1429, 1600, 1603, 1669, | 1698 |
| taxes, water rates and assessments, unpaid, collection of. | 489, | 713 |
| Water street, railroads upon, relating to. | 853, 1150. (See Veto.) | |

Buffalo:

| | | |
|---|---------------------------------|------|
| Arcade building, injuries done to, compensation for.... | 665, | 882 |
| | 1325, 1511, | 1821 |
| board of health, certain proceedings of, to legalize..... | 88, | 530 |
| bridge over the Erie canal, completion of, to authorize.... | | 128 |
| | 155, 156, | 619 |
| burial grounds, future, location of, to regulate. | 96, 171, 237, | 259 |
| | 325, | 550 |
| charter of, to amend..... | 33, | 229 |
| to amend..... | 69, | 715 |
| to amend..... | 197, 228, | 924 |
| to amend..... | 286, 399, 778, 854, 947, | 1451 |
| to amend..... | | 308 |
| to amend..... | 530, 616, 816, 963, 1051, 1254, | 1585 |

| Buffalo: | PAGE. |
|---|---|
| charter of, to amend..... | 894, 977, 1439, 1509, 1679 |
| to amend..... | 987, 1100 |
| City Cemetery Association, additional land, to acquire.. | 377, 400 |
| | 584, 1144, 1338 |
| fire department, acts of superintendent of, to legalize..... | 472 |
| mechanics, for better security of.. | 33, 72, 86, 223, 259, 314, 672 |
| | 702, 853, 873, 896 |
| Municipal Court, to establish... | 88, 227, 228, 347, 364, 391, 410 |
| | 934, 1267, 1325, 1365, 1403, 1520, 1638 |
| nuisances, certain, abatement of, claims for.. | 527, 553, 723, 1124 |
| | 1279, 1293, 1778 |
| police department, to establish.. | 996, 1100, 1104, 1366, 1367, 1470 |
| public buildings of Erie county, relating to.. | 33, 100, 130, 155 |
| | 159, 267 |
| sewerage system, to perfect and enlarge..... | 1315, 1432 |
| sewer bonds, issuing of, to provide for.. | 805, 882, 1091, 1105, 1272 |
| Society of Natural Sciences, fund for..... | 1592, 1870 |
| Surgical Infirmary, relief of..... | 1238, 1379, 1512, 1669 |
| taxes and assessments unpaid, relating to.... | 286, 400, 722, 905 |
| | 1085, 1160, 1366, 1369 |
| Temple Beth Zion, to incorporate..... | 703, 803, 908, 1144, 1340 |
| water bonds, issue of, providing for..... | 1315, 1454 |
| to issue..... | 819, 1099, 1324, 1432, 1436, 1454 |
| water commissioners, board of, act providing for, to repeal, | 33 |
| | 229, 579 |
| water supply, act providing, to amend..... | 33, 229, 579 |
| Building and mutual loan associations. (See Mutual Loan.) | |
| Buildings, corporations for erection of, law authorizing, to amend, | 569 |
| mortgage of franchise by, to authorize.. | 600, 846, 869, 923, 1139 |
| Burleigh, Henry G., ferry from farm of. (See Ferry.) | |
| Burns, Patrick, relief of | 1434, 1641 |
| Business corporations, certain, act for organization of, to amend, | 423, 472 |
| act for organization of, to amend..... | 426, 453, 515, 722, 922, 1049, 1192 |
| act for organization of, to amend.... | 509, 515, 538, 824, 866, 985 |
| | 1089, 1779 |
| Business name, continued use of, in certain cases to allow. (See | |
| Copartnership Names) | 888, 1149, 1317, 1539 |
| Butter, deception in sales of, to prevent.. | 195, 278, 466, 621, 626, 692 |
| | 765, 777, 827 |

C.

| | |
|--|----------------------------|
| Callicoon, Agricultural Mutual Fire Relief Association, to incor- porate..... | 469 |
| Call of the House, Mr. C. S. Baker moved a..... | 1836, 1839, 1847 |
| Cambridge, charter of, to amend | 545, 822, 1002, 1481, 1711 |
| Canajoharie Water-Works Company, charter of, to amend.. | 661, 737 |
| | 753, 979 |
| Canal appraisers, amendments to claims, may allow..... | 1143 |
| an award by, to pay..... | 1750 |
| awards by, certain, payment of, providing for..... | 463, 512, 1092 |
| | 1274, 1663 |

1889

[ASSEM. JOURNAL.] 237

| | PAGE. |
|---|---|
| Certificates of stock lost or destroyed. (See Stockholders Whose Certificates.) | |
| Certiorari in criminal cases, act concerning, to amend.... | 78, 600, 919 1180 |
| Champlain canal and Glens Falls feeder, improvement of, moneys for, re-appropriating..... | 217, 288, 925, 1198, 1340 |
| improvement of, moneys for, to re-appropriate..... | 196, 287 |
| steam propulsion upon, relating to.... | 219, 600, 1148, 1318, 1392 1482, 1873 |
| Charitable bequests. (See Bequests.) | |
| institutions, payment of water tax rent, to exempt from. | 28, 100 269 |
| Charities Aid Association. (See State Charities Aid Association.) | |
| Charities, board of, in several counties, to create..... | 697, 794 |
| State Board of, relating to..... | 127, 202, 292, 760, 825 |
| Chateaugay, charter of, section 1 of, to amend.... | 733, 764, 880, 980 |
| Water-Works Company, act to incorporate, amending.. | 287, 296 305, 1014, 1157, 1258, 1467 |
| charter of, to amend..... | 821, 840 |
| Chattel mortgages. (See Mortgages.) | |
| Chautauqua county, district attorney of, act regulating salary of, to amend..... | 546, 738 |
| Chazy, annual town meeting of, place for holding..... | 127 |
| Chemung canal, certain portion of, from ch. 404, Laws of 1877, and ch. 344, Laws of 1878, to exempt..... | 484 |
| Chemung county, Court of Oyer and Terminer, appointing.... | 860 |
| taxes in, equalization of, for the.... | 165, 179, 213, 559, 721, 843 917, 1070 |
| town, bridge commissioners, money to borrow..... | 1297 |
| bridge commissioners of, money to borrow.. | 1474, 1557, 1678 |
| Chenango canal and Chenango canal extension, disposition of, to provide for..... | 392, 463, 886, 889, 924, 1105, 1196, 1711 |
| Chenango county, towns and villages of, sale of railroad stock by, to authorize..... | 27, 73, 126 |
| (See Stock in Railroad Companies.) | |
| Chester and Blooming Grove, towns of. (See Blooming Grove.) | |
| Children, accidents to, to prevent..... | 1593, 1751, 1791 |
| adoption of. (See Adoption.) | |
| Association for Befriending, relating to.... | 463, 528, 807, 1116 1146, 1395 1593 |
| destitute, care of, by inmates of poor-house or penitentiary, forbidding..... | 821, 886, 1116, 1317, 1341, 1561 |
| pauper, act providing for the care of, to amend..... | 30 |
| the benefit of elementary education, act to secure, amending, 344, . | 402 |
| Choses in action, survival of. (See Abatement.) | |
| Christie, John D., resignation of..... | 1048 |
| (See Resolutions.) | |
| Church, Chief Judge Sanford E., in memory of..... | 1494 |
| Mrs. Ann, payment to, certain..... | 1712, 1876 |
| Cities and villages, bonded indebtedness of. (See Indebtedness.) | |
| tunneling and excavating in. (See Tunneling.) | |

| | PAGE. |
|---|---|
| Cities, counties and towns, rights to, granting.... | 549, 617, 712, 1324 |
| mechanics in, payment of. (See Mechanics.) | / |
| Claims against other States. (See States, other.) | |
| Clarke, Elihu W., acts of, to legalize. | 543, 550, 908, 1008, 1085, 1227 |
| Clerk of Assembly, Edward M. Johnson elected..... | 8, 9 |
| Clinton county, poor of, expenses for, auditing, relating to..... | 294, 732 |
| | 880, 969, 1112 |
| Clinton prison, agent and warden of, certain contracts to make..... | 870 |
| | 1104, 1305, 1484 |
| act for enlargement of, amending..... | 1820 |
| Clubs for social purposes, act for incorporation of, to amend. | 418, 463 |
| | 1318, 1569 |
| act of 1865 for the incorporation of, further to amend.. | 371 |
| | 453, 454, 474 |
| for certain lawful purposes, act of 1875 for incorporation of, to amend.... | 520, 602, 729 |
| for certain recreative purposes, act of 1865 for incorporation of, to supplement..... | 520, 602, 724, 923, 1196 |
| Coal in manufacturing, use of, relating to..... | 527, 1237 |
| Cockburn, Mary. (See Aliens.) | |
| Code, Civil, to establish..... | 71, 228, 823, 1053, 1062 |
| Criminal, and Code of Criminal Procedure, to provide for.. | 49 |
| of Criminal Procedure, to establish. | 71, 227, 823, 1053, 1062, 1545 |
| publishing and printing of..... | 1706, 1776, 1864 |
| Military, to amend..... | 195 |
| to amend..... | 218, 289, 396, 546, 841, 1024-35, 1877 |
| revision of, to provide for. | 195, 222, 227, 465, 569, 589, 633, 1873 |
| Penal, to establish..... | 71, 228, 823, 1053, 1063 |
| Code of Civil Procedure, further to amend..... | 268 |
| relative to jurors, to amend..... | 197 |
| sections 111, 112 of, amending..... | 173, 473, 581, 682 |
| section 236 of, to amend.. | 39, 227, 308, 309, 313, 361, 1246, 1435 |
| | 1553, 1622, 1709 |
| section 376 of, to amend..... | 763 |
| section 376 of, to amend..... | 778, 851, 1324, 1506, 1795 |
| section 376 of, to amend..... | 820 |
| section 430 of, to amend.... | 128, 174, 248, 259, 326, 1335, 1467 |
| section 435 of, to amend | 310, 391, 585, 922, 981, 1189, 1777, 1875 |
| section 829 of, to amend..... | 543 |
| section 1039 of, to amend..... | 802 |
| section 1176 of, to amend. | 97, 175, 464, 572, 589, 649 |
| section 1275 of, to amend..... | 312 |
| section 1323 of, to amend.... | 344, 472, 846, 898, 1423, 1588, 1874 |
| to amend..... | 70, 175, 423, 433, 445, 1011 |
| to amend..... | 83, 84, 598, 908, 1145, 1342, 1390, 1874 |
| to amend..... | 109 |
| to amend..... | 146, 175, 210, 248, 354, 406, 479 |
| to amend..... | 210, 372, 403, 414 |
| to amend..... | 268 |
| to amend..... | 393 |
| to amend..... | 528 |
| to amend..... | 527 |
| to amend..... | 704, 764, 1513 |

| | PAGE. |
|--|---------------------------------------|
| Code of Civil Procedure, to amend..... | 804 |
| to amend..... | 1592, 1751 |
| to amend..... | 1776 |
| to amend, and 9th and 10th sections of mortgage foreclosure act to re-enact..... | 661 |
| to supplement..... | 53, 79, 223, 423, 433, 439, 1004 |
| act supplemental to, to amend..... | 1861 |
| act supplemental to, amending and providing for publication of..... | 1730, 1797 |
| Cohoes and Lansingburgh Bridge Company, relating to.... | 312, 802 |
| Cohoes, charter of, act of 1871, amending, to amend.. | 660, 713, 1342 |
| act of 1871 amending, to amend. 870, 882, 883, 1121, 1342, | 1580 |
| amending..... | 1150, 1161, 1405, 1593, 1732 |
| water supply of, relating to..... | 660, 810, 1342 |
| acts relating to, amending..... | 869, 1006, 1342, 1580 |
| Cold Spring harbor, sites for range lights at, United States to ac- quire..... | 76, 133, 186, 257 |
| College Point, school bonds of, act relating to, amending.. | 1474, 1658 |
| Collins, Lawrence, to relieve..... | 869, 1081, 1325, 1749 |
| Sarah, relief of, for the..... | 762 |
| Columbia county, justices of sessions in, certain, relating to.. | 47, 75 |
| superintendent of poor of, keeper of poor-house, to be, 549, | 735 |
| | 1817 |
| Commissioners of highways. (See Highways.) | |
| of railroads. (See Railroads.) | |
| to take acknowledgments and oaths in other States, act relating to, further to amend..... | 343, 473, 560, 624, 768 |
| Commission merchants, brokers and agents, to protect..... | 805 |
| Common carriers, proceedings by mandamus against, to author- ize..... | 398, 473, 888, 1092, 1147, 1316, 1402 |
| Commutation of assessments. (See Assessments.) | |
| Comptroller, claims against sureties of New York and Erie Bank of Buffalo, to settle..... | 703, 734, 911, 1049, 1166, 1779 |
| deputy, salary of, establishing..... | 549, 609, 1074, 1329, 1460 |
| disposal of United States securities by, to authorize, 84, 98, | 129 |
| | 155, 156, 267 |
| issue of revenue bonds by, to authorize..... | 549, 609, 730 |
| Concurrent resolutions, publication of, in relation to the...128, | 148 |
| publication of, to pay for...63, 80, 111, 123, 141, 210, 298, | 302 |
| | 388, 439 |
| Coney Island creek, passengers crossing, safety of..... | 1298 |
| Coney Island, concourse at, relating to..... | 369, 979 |
| police force for, to provide..... | 1132, 1678 |
| Connecticut and New York boundary. (See New York.) | |
| Constitutional amendment, proposed, for submitting to electors, | 1776 |
| | 1828 |
| Constitution, amendments to article 6 of, for a commission to propose..... | 197 |
| Contested seats: | |
| of Joseph Hynes by Thomas Liddle, 31, 67, 419, 456-461, 463, | 510 |
| of Jules O'Brien by John McLaughlin..... | 11 |
| Contractors with municipal corporations, sureties of, to protect, | 821 |
| | 887, 1148, 1240, 1424, 1427 |

| | PAGE. |
|---|------------|
| Conveyances, public, disorderly conduct in, to prevent, 40, 597, | 723 |
| disorderly conduct on, to repress 549, 689, 735, 899, | 735 |
| of land, recording of, relating to | 89 |
| Convict labor, to restrict | 28 |
| use of, to regulate | 440 |
| Convicts and prisoners, employment of, to regulate | 27 |
| confined in the prisons of this State, employment of, relat- | |
| ing to 552, 1012, | 1841 |
| discharged or pardoned, better protection of, to provide for, | 977 |
| 1079, 1146, 1241, | 1397 |
| for the removal of | 36, 1559 |
| in State prisons, disposition of, to regulate | 1004, 1559 |
| Cool brook, fish in, to preserve 88, 151, 225, 232, | 315 |
| Cooperstown, aqueduct association in, act for incorporation of, | |
| to amend 340, 475, 582, 921, 982, 1186, | 1873 |
| charter of, to amend 102, 170, 248, 423, 433, 444, | 550 |
| Copartnership names, continued use of, in certain cases, act allow- | |
| ing, to amend 311, 500, | 773 |
| (See Business Names.) | |
| Cornell, D. F., acts of, to legalize 895, 1085, 1113, | 1747 |
| Cornell endowment fund, transfer of, to Cornell University, re- | |
| lating to 306, 448, 581, 620, 692, 731, 1162, 1210, 1268, | 1309 |
| Cornell, village of, general village incorporation act, to amend, | |
| relative to | 527 |
| Corning library, act for relief of, amending 869, | 1111 |
| Corning, village incorporation act, to amend, relative to . 810, | 1341 |
| 1502, 1780, | 1875 |
| Corona, Union Evangelical church of, incorporation of, to con- | |
| firm | 30, 52 |
| Coroner, office of, persons in the liquor business not to hold, | 312 |
| 500, | 1436 |
| Coroners, functions of, to limit, and to create office of medical | |
| examiner | 183 |
| Corporate name, same or similar, assumption of, to prevent . . . | 1239 |
| similar, assumption of, to prevent 128, 199, 916, 1050, | 1179 |
| Corporations, and incorporated companies, foreign, relating to, | 1045 |
| 1121 | |
| for erection of buildings. (See Buildings.) | |
| franchises of, sold under mortgage. (See Franchises.) | |
| from sections 5, 6 and 8, title 4, chapter 18, part 1 of Re- | |
| vised Statutes, to exempt 817, 853, 857, | 1086 |
| organized under general laws, continuation of, to allow . . . | 311 |
| renewal of, to authorize 677, 734, | 854 |
| stock of, preferred. (See Stock.) | |
| Corrections and pardons. (See Pardons.) | |
| Cortland county, from act creating board of town auditors, to | |
| exempt 59, 60, | 302 |
| towns and villages of, sales of railroad stock by, to authorize, | 219 |
| 232, 300, | 302 |
| Cortland village, union free school act, to repeal, 1551, 1660, 1661, | 1677 |
| union free school in, to provide for | 756 |
| Cortlandt, town of, time for collection of taxes, to extend . 944, | 1042 |

| | PAGE. |
|--|---|
| Costs, in criminal proceedings in villages. (See Villages.) | |
| payment of, additional means to enforce, providing ... | 512, 678 |
| Cottman, Thomas, for relief of..... | 987, 1321, 1513, 1749, 1859 |
| County canvassers, mandamus against, in case of error, provid- ing for..... | 586, 799, 1325, 1574 |
| clerks, compensation of, relating to..... | 78 |
| uniform fees for, to provide | 952 |
| courts, act of 1870 relating to, to amend .. | 868, 1080, 1513, 1825 |
| judges and surrogates, act relating to salaries of, amending, | 733 |
| compensation of, chap. 401, Laws of 1877, relating to, to amend..... | 703 |
| officers, compensation of, relating to..... | 78 |
| treasurers, act of 1877 relating to, to amend..... | 703, 1490 |
| act relating to, to amend..... | 507, 528 |
| act relating to, to amend..... | 676, 734, 909, 1126, 1256, 1329 1736, 1875 |
| and superintendents of the poor, act for the election of, to amend..... | 33, 391 |
| chapter 436, Laws of 1877, relating to, to amend.. | 112, 346 635, 693, 774, 1267 |
| Court of claims to establish and abolish the board of audit.... | 1430 |
| Courts, officers of justice and civil proceedings, act explaining act relating to, to amend | 977, 1080, 1325, 1505, 1794 |
| act explanatory of act relating to, to amend..... | 102 |
| act relating to, further to amend..... | 184 |
| act relating to, further to amend..... | 778, 850, 1324, 1507 |
| act relating to, to amend | 112 |
| act relating to, to amend. | 497, 799 |
| act relating to, to amend..... | 805, 851, 1147 |
| act relating to, to amend..... | 987 |
| section 5 of act relating to, to amend.... | 418, 500, 582, 625 693, 772 |
| Courts of special sessions. (See Special Sessions.) | |
| Court, supreme. (See Supreme Court.) | |
| Coxsackie, charter of, to amend.... | 310, 475, 582, 718, 779, 929, 1163 |
| Creditors, frauds against, in matters of record, to prevent.. | 119, 149 224, 232, 435 |
| Crescent Company, act amending charter of, to amend. | 527, 983, 1125 1256, 1308, 1848, 1875 |
| Criminal proceedings, relative to..... | 483 |
| prosecutions, certain, married women to testify against their husbands in..... | 60, 78, 107, 108, 137 |
| Criminals, defense of, compensation for, relating to..... | 194, 529 |
| term of sentence of, relating to | 703, 852, 1325, 1505, 1796 |
| Crook, Abel, relief of | 438, 763, 1513 |

D.

| | |
|--|----------------------------|
| Dairymen, to protect. (See Butter.) | |
| Danforth, village of, school bonds to issue..... | 1149, 1303, 1425 |
| Davenport, fish in, preservation of..... | 418, 552 |
| Dead bodies. (See Bodies.) | |
| Death by neglect or wrongful act, compensation for, act relating to amending..... | 806, 950, 1438, 1508, 1830 |

| | PAGE. |
|---|---|
| Debtors, assignments of. (See Assignments.) | |
| Deeds, acknowledgment of, by married women, act in relation to, amending | 36, 99, 144, 155, 161, 1468 |
| acknowledgment of, in other States. (See Commissioners to take Acknowledgments, etc.) | |
| commissioner of, and notary public, offices of, qualifications for, to prescribe | 35, 799 |
| for lots in rural cemeteries, record of, relating to .. | 398, 529, 723 |
| | 843, 917, 1069 |
| Deer in vicinity of Lake George. (See Lake George.) | |
| Deerpark, school district No. 1 of, relating to | 109, 1661, 1798 |
| Deer river, water supply of, companies for increase of, to provide for | 735, 858, 980, 1100, 1585 |
| DeKalb, town meeting of, action of, to legalize | 1439, 1633, 1711 |
| Delaware and Hudson Canal Company, property of, valuation of, in school districts, relating to .. | 313, 453, 722, 83, 1050, 1065, 1778 |
| Delaware county, and Sullivan, office of court crier in, to abolish .. | 350 |
| | 1006, 1551 |
| office of supervisor in, relating to | 52 |
| Delaware river, black bass and other fish in, to protect | 607 |
| Delhi, village of, fire department in, act to organize, amending .. | 83 |
| | 170, 237, 282, 323, 332 |
| Dentistry, persons engaged in, certain, for relief of .. | 1044, 1080, 1317 |
| | 1392, 1544 |
| Depositors in savings banks. (See Savings Banks.) | |
| Dimick, Hiram, official acts of, to legalize .. | 541, 598, 984, 1123, 1274 |
| | 1397 |
| Disfranchisement, to prohibit | 678, 1714, 1872 |
| District telegraph companies, policemen for, for appointment of, .. | 145 |
| | 177, 468, 571, 644 |
| Divorces, in case of abandonment and desertion, to authorize .. | 398, 887 |
| Revised Statutes relating to, to amend. (See Revised Statutes.) | |
| Dodge, Charles, widow and children of. (See Aliens.) | |
| Dogs, taxation of, act relating to, to amend | 393 |
| Domestic and Foreign Missionary Society of the Protestant Episcopal Church, act incorporating, to amend | 146, 289, 466, 573 |
| | 590, 656, 1267 |
| Dower, inchoate right of, satisfaction of, for the | 425 |
| realty charged with, sale of, relating to ... | 1238, 1490, 1513, 1556 |
| | 1869 |
| right of, upon registration of marriage, to depend. | 484 |
| Drainage, amending Revised Statutes relating to. (See Revised Statutes.) | |
| Drains and ditches constructed before 1872, relating to ... | 1238, 1301 |
| | 1326, 1509, 1512 |
| Draw-bridges across navigable waters, lights upon, maintenance of, to compel | 484-85, 601, 724, 921, 1000, 1842, 1873 |
| Druggists, and grocers who deal in intoxicating liquors, relating to | 269, 455, 846, 917, 1076 |
| sale of intoxicating liquor by, to regulate | 344, 737 |
| Drugs, medicines and chemicals, adulteration of, to prevent | 430 |
| Duff, Patrick, relief of | 1298, 1431, 1551, 1808 |

| | PAGE. |
|--|---|
| Dunham and Windham, towns of, boundary between, to alter... | 976 |
| | 1217, 1218 |
| Dunkirk, charter of, to amend..... | 131, 176, 248, 282, 285, 294 |
| E. | |
| East Bloomfield, town of, commissioners of excise, acts, to legalize..... | 1681, 1685 |
| East Chester, receiver of taxes, act relating to, amending.. | 1239, 1301 |
| | 1473, 1636 |
| East river bridge. (See New York.) | |
| Eden, town of, acts of supervisor of, to legalize.... | 369, 455, 581, 720 |
| | 778, 938, 1779 |
| Edgewater, charter of, to amend..... | 218, 601, 906, 1084, 1166 |
| Education, elementary, children, benefit of. (See Children.) | |
| public, general act relating to, to amend.. | 79, 110, 123, 135, 303 |
| (See, also, Instruction.) | |
| Eighteen Mile creek, east branch of, course of, to change... | 183, 287 |
| | 466, 573, 590, 656 |
| west branch of, relating to... | 196, 395, 760, 915, 981, 1176, 1467 |
| | 1715 |
| (See Veto.) | |
| Elbridge, town of, ditch beside the Erie canal in, for a..... | 54 |
| Election law, act amending section 19 of, to amend and repeal | |
| act relative to elections in New York city... | 452, 529, 672, 914 |
| | 1084, 1172, 1874 |
| general, amending..... | 1687 |
| to amend..... | 762, 887, 1148, 1771, 1796 |
| Elections, honest, to promote..... | 48, 99, 174, 238, 364, 366, 436 |
| in cities of not more than 300,000 inhabitants, relating to.. | 61 |
| law of. (See Suffrage, Right of.) | |
| Electors, presidential, appointment of, to provide for..... | 37 |
| Elevators, management of, regulating..... | 1299 |
| Ellenville, assessment of taxes in, relating to.. | 736, 778, 854, 943, 1042 |
| charter of, relating to.. | 196, 231, 298, 307, 313, 314, 333, 347, 352 |
| | 365, 367, 382 |
| Elmira, charter of, to amend..... | 215, 714 |
| Female College, name of, to change..... | 1330, 1558 |
| public park for, to provide..... | 1098, 1455, 1637 |
| Emigration, commissioners of, act creating, to amend..... | 34 |
| Employees, of Assembly. (See Senate and Assembly, Employees of.) | |
| services of, suits to recover, relating to..... | 483 |
| Equalization of State tax, act relating to, to amend.. | 38, 80, 175, 274 |
| | 307, 313, 357, 550 |
| Erie county, Buffalo plank road in, commissioner of, duties of, | |
| further defining..... | 332, 455, 544, 824, 916, 962, 1162 |
| poor of, act relating to, to amend.. | 256, 296, 722, 899, 1105, 1129 |
| | 1637 |
| surrogate's court, stenographer for, relating to.... | 986, 1321, 1512 |
| | 1553, 1868 |
| work-house in, act relating to, to amend.. | 305, 336, 722, 901, 981 |
| | 1151, 1637 |
| Error, writs of, in criminal cases. (See Writs of Error.) | |
| Erwin, town of, from chapter 180, Laws of 1875, and from chapter 223, Laws of 1878, to exempt..... | 370, 455, 581 |

| | PAGE. |
|--|------------------------------|
| Esopus, town meetings in, relating to.... | 489, 1142, 1143, 1424, 1589 |
| Esperance, town of, debt, to refund..... | 662, 712 |
| Eureka Basin Warehouse Company, act defining powers of, to repeal..... | 76, 77, 200, 918, 1049, 1180 |
| Evidence, and practice, on civil and criminal trials, law of, to amend..... | 76, 100, 199, 260, 307, 320 |
| in criminal cases, in relation to..... | 430, 529 |
| law of, to amend..... | 606, 1490 |
| Exchanges and boards of trade, act for the incorporation of, to amend..... | 370, 371, 691 |
| Exemption of certain property from execution on judgment by courts not of record, providing for. (See Property.) | |
| of persons and property from taxation, certain acts authorizing, to repeal. (See Acts and Parts.) | |
| Exhibitions, international, held within the State of New York, to regulate..... | 1475, 1672 |
| land for, corporation created by Congress may hold..... | 1687 |
| | 1714, 1754 |

F.

| | |
|--|----------------------------------|
| Farmers and gardeners, protection of, for the..... | 548, 692, 904, 981, 1159 |
| Farmers' Loan and Trust Company, relating to..... | 1053, 1079, 1102, 1146 |
| | 1379 |
| Fayette and Waterloo, towns of, bridge over Cayuga canal between, for a..... | 464 |
| Female vagrants, disposal of. (See Shelter for Women.) | |
| Ferry from farm of Henry G. Burleigh, relating to, 268, 395, 752, .. | 922 |
| | 1216, 1219, 1529, 1708 |
| in Suffolk county. (See Suffolk.) | |
| Fire-proof Warehousing Company, charter of, to amend, 760, .. | 850 |
| | 1148, 1423, 1588, 1711 |
| Fiscal year in counties, establishment of, relating to. (See Supervisors.) | |
| Fish, fresh, manner of sale of, to regulate..... | 132, 340 |
| in certain waters, to protect..... | 820, 913, 1318, 1392, 1565, 1763 |
| Fishways through certain State dams, to provide for, 77, 168, .. | 223 |
| | 232, 315, 1022, 1171 |
| Flushing, town of, bonds, to issue, 165, 179, 213, 307, 349, 360, .. | 409 |
| | 434, 676, 702 |
| overseer of poor, relating to..... | 497, 617, 908, 1036, 1238, 1259 |
| village of, charter, amending..... | 912 |
| exemption of property from taxation in, relating to, 184, .. | 231 |
| | 496, 669, 915 |
| charter, to amend..... | 484, 618, 908, 986, 1008, 1225 |
| Forests, better protection of, for the..... | 1475 |
| parks, preserves, etc., rainfall in. (See Rainfall in Forests, to preserve.) | |
| Forsyth Street Methodist church, real estate of, transfer of, to trustees, to authorize..... | 424, 432, 580, 585, 629, 630 |
| Fort Edward, bridge over the Champlain canal in, relating to.. | 253 |
| Franchises, mortgaged, purchasers of. (See Railroads.) | |
| sold under mortgage, purchasers of, relating to...508, 530, .. | 537 |
| | 624, 766 |
| Frankel, Julius, relief of, for the..... | 733 |

| | PAGE. |
|---|--|
| Franklin and Richmond counties, clerk of. (See Richmond.) | |
| Franklin county, board of supervisors of, additional powers on, to confer, 309, 333, 467, 573, 590, 654, 859, 944, 949, 992, | 1022 1778 |
| road between Blood's hotel and Tupper's lake in, construc- tion of..... | 165, 336, 722, 920, 1049, 1183 |
| road from Keese's mills to Merrill's hotel, for construction of, | 733 |
| Fraud in the practice of law, act to prevent, amending.... | 880, 1079 |
| Frauds against creditors. (See Creditors.) | |
| Freight, transportation of. (See Railroads.) | |
| Friends, Society of, trusts for the benefit of, relating to, 469-70, | 603 |
| 905, 1048, 1130, | 1637 |
| Frost, Albert C., acts of, to legalize..... | 484, 500, 502, 619 |
| Fulton county, and Saratoga. (See Saratoga.) | |
| from town auditor act, to exempt..... | 679, 899, 969, 1130, 1468 |
| Fultonville, bridge across the Erie canal at, enlargement of, 377, | 1378 |
| 1473, | 1644 |
| G. | |
| Game and fish protectors, appointment of, for the, 488, 609, 952, | 1049 |
| 1202, 1421, | 1875 |
| Game law, certain sections of, waters of Jefferson county, to ex- empt from..... | 33 |
| section 8 of, to amend..... | 58, 552 |
| section 37 of, to amend, 311, 443, 580, 900, 981, 1137, 1366, | 1602 |
| to amend, 29, 151, 223, 232, 318, 1242, 1407, 1471, 1602, 1701, | 1745 |
| to amend..... | 52, 501, 900, 980, 1131 |
| to amend..... | 97, 443, 579, 717, 779, 830 |
| to amend..... | 131, 490, 582, 623, 693, 751, 1366, 1602 |
| to amend..... | 182, 444, 583 |
| to amend. | 196, 272, 466, 576, 590, 706 |
| to amend..... | 351, 443, 580 |
| to amend..... | 418, 443, 580, 1037, 1085, 1262 |
| to amend..... | 868, 1082, 1505, 1814 |
| to amend..... | 912, 1302, 1554, 1807, 1827 |
| to amend..... | 1299 |
| Game, protection of, for the..... | 418, 444 |
| Garnishment. (See Attachment.) | |
| Gas companies, gas by contract, to furnish..... | 895 |
| General laws, committee on, communication from..... | 222 |
| (See Senate and Assembly Employees.) | |
| Genesee Valley canal, sale of banks and prism, relating to, 38, | 489 |
| 558, 599, 627, 846, 969, | 1077 |
| Germania Fire Insurance Company, charter of, to amend, 703, | 779 |
| 786, 879, 894, 925, | 994 |
| Gibson, Josephine G., to legitimize..... | 97 |
| Gildersleeve, Irad W., acts of, to legalize..... | 1119 |
| Gilmour, Neil, elected Superintendent of Public Instruction... | 753-55 |
| Goff, Frank M., official acts of, to legalize, 394, 473, 583, 1038, | 1263 |
| 1398 | |
| Goshen village, poor of, relief of..... | 451, 980, 1323, 1508 |
| water bonds issued by, payment of, to provide for, 438, 476, | 584 |
| 1508 | |
| Gospel and school lots, leasing of, relating to..... | 88, 170, 248 |

| | PAGE. |
|--|--|
| Government, expenses of, certain, act of 1879 making appropriations for and supplying deficiencies, to amend, 394, 448 | 1127, 1650 |
| providing for and supplying deficiencies. 456, 520, 544, 547 | 589, 801, 804, 810-15, 819, 848, 1350-1361, 1400, 1716 |
| support of, making appropriations for... 200, 269, 290, 306, 355 | 562, 703, 802, 806, 871, 896 |
| support of, ways and means for, to provide..... | 1858, 1877 |
| Governor, annual message of | 12 to 24, 48 |
| Gowanda Water-works Company, to incorporate | 124 |
| Grand Army of the Republic, George S. Dawson post of, invitation from | 192 |
| Grand Island Bridge Company, charter of, amending..... | 796 |
| Grand Island, school districts in, to consolidate, 89, 121, 172, 181, 211 | |
| Grand juries, power of, to limit..... | 64, 799 |
| Grasse river, improvement of, act relating to, to amend ... | 549, 1558 |
| Gravesend, town of, common lands of, relating to..... | 70, 149 |
| common lands of, relating to | 606, 691, 695, 709 |
| treasurer for, relating to | 64, 213, 464, 569, 589, 635, 1162 |
| Gray, Bridget, relief of, for the... 422, 514, 724, 838, 917, 1063, 1612 | 1711 |
| Great South bay. (See Suffolk County.) | |
| Greenburgh, village of, street-sprinkling in, relating to.... | 806, 834 |
| Greene county, bounties of volunteers of | 426, 824 |
| new bonds of, act relating to, to amend.. 146, 179, 213, 464, 571 | 588, 647, 1267 |
| Greene, town of, from town auditors act, to exempt ... | 440, 475, 581 |
| school district No. 4 of, act relative to a bequest to, to amend..... | 449, 450, 475, 568, 664 |
| village trustees of, certain realty, to sell..... | 1118, 1637 |
| Guilford, from act creating board of town auditors, to exempt, 66 | |
| 85, 167, 181, 185, 524, 567, 631, 716 | |
| Gypsum Cemetery Association, to revive.. 97, 170, 237, 259, 324, 1162 | 1384, 1427, 1440, 1709 |

H.

| | |
|---|---|
| Hamburgh Cemetery Association, name of, to change.. 418, 464, 581 | 900, 982, 1132, 1779 |
| Hamilton county, certain road, act amendatory of act relating to, to amend..... | 586, 795, 1513, 1556, 1867 |
| Hamilton village, charter of, to amend... 127, 170, 187, 207, 265, 567 | 664, 797, 815, 817, 859, 1163, 1221, 1252, 1297, 1366 |
| Ham, John C., relief of..... | 1687 |
| Hammond, town of, expenditure of moneys of, by its officers, relating to..... | 49 |
| Hardin, John K., acts of, to legalize | 704, 764 |
| Harlem river and Spuyten Duyvil creek improvement, act relating to, to amend..... | 28, 37, 62, 301, 307, 308, 359, 480, 509 |
| Harner, James, for relief of | 393, 530 |
| Hartford, town of, Eighteen Mile creek in. (See Eighteen Mile Creek.) | |
| Harts Falls, charter of, to amend..... | 820, 885 |
| Hastings-on-the-Hudson, trustees of village of, election of, to confirm..... | 482, 533, 535, 625, 770 |

| | PAGE. |
|---|---------------------------------|
| Hathaway, Philip, for relief of..... | 1044, 1079, 1323, 1502, 1773 |
| Hats, manufacture and sale of, to regulate..... | 40, 396 |
| Haviland, Barclay, official acts of, to legalize.. | 497, 550, 589, 632, 1249 |
| | 1435, 1471 |
| Hawkers and peddlers, licensing of, relating to. (See Revised Statutes.) | |
| Hay and straw, baled, tare on, to regulate..... | 305, 396, 538, 982 |
| Hayden, James E. and Oscar E., for relief of..... | 89 |
| Hayes, Richmond S., acts of, to legalize..... | 311, 312, 332 |
| Health, public, act for the preservation of, to amend, 131, 272, 1326, | 1509 |
| State board of, to establish..... | 112 |
| to establish..... | 480, 533, 997, 1220, 1388 |
| Hell Gate pilotage, laws regulating, resolution of Connecticut Assembly concerning..... | 429 |
| pilots of, relating to..... | 96 |
| Hempstead, town of, common lands in, amending act relating to, | 37 |
| 78, 107, 108, 136, 329, | 342 |
| overseers of poor in, number of, to change...198, 297, 466, | 572 |
| | 589, 650, 703 |
| Herkimer, cemetery in, act relating to, amending, 986, 1122, 1552, | 1866 |
| Highways, animals running at large upon. (See Animals.) | |
| commissioners of, act amendatory of act requiring to serve as turnpike inspectors, to repeal..... | 286, 1122, 1634 |
| commissioners of, judgments against, certain, payment of.. | 665 |
| | 737, 1636 |
| defective, injuries from, redress for..... | 1150, 1490 |
| of certain width, relating to..... | 1298, 1342, 1477, 1652 |
| overseers of. (See Revised Statutes; Roads and Bridges.) | |
| shading, to provide for..... | 549, 852 |
| Highway taxes, commutation of, to regulate..... | 1119 |
| Holidays, designation of, relative to commercial paper, act relating to, amending..... | 996, 1491 |
| Holstein Breeders' Association, to incorporate.. | 680, 712, 909, 1126 |
| | 1297, 1328, 1778 |
| Homestead associations, Villa park and suburban, incorporation of, to authorize..... | 661, 984, 1126, 1342, 1384 |
| Horseheads, charter of, to amend.... | 305, 401, 580, 1037, 1157, 1262 |
| | 1467, 1551, 1619, 1639, 1709 |
| Horse keepers or boarders, lien for, to provide..... | 77, 333, 467 |
| Hotels, corporations for keeping, act relating to, section 16 of, to repeal..... | 71, 168, 190, 206, 278 |
| (See Manufacturing Law.) | |
| Houses of correction and refuge for women, to establish.... | 452, 501 |
| Hudson, charter of, to amend..... | 398, 454, 714 |
| public schools in, relating to..... | 733, 886 |
| Hudson river, draw-bridges across, maintenance of certain lights on, to compel..... | 724 |
| (See Draw-bridges.) | |
| fishing in, relating to..... | 31, 37 |
| ice in, cutting of, act of 1879 relating to, to amend.. | 69, 334, 348 |
| | 360, 363 |
| improvement of, for the..... | 64, 80, 111, 123, 140, 326, 342 |
| navigation of, act for preservation of, to amend.. | 182, 289, 466 |
| | 570, 589, 637, 1162 |

| | PAGE. |
|---|--|
| Hudson river, upper, waters in, to preserve.. | 198, 295, 711, 1475, 1673 |
| Hudson Suspension Bridge and New England Railway Company, charter of, to amend.... | 344, 678, 773, 854, 944, 1778 |
| Hunter and Catskill, towns of, time for collection of taxes in, to extend..... | 660, 779, 780, 815 |
| Huntington and Islip, towns of, planting of oysters in, act relating to, to repeal..... | 800, 913, 918, 1009, 1219, 1230, 1238-39 1254 |
| Husband and wife, direct conveyance of property between, allowing. (See Property.) | |
| joint tenancy between, permitting. (See Joint Tenants.) | |
| Husted, James W., made speaker <i>pro tem</i> | 290 |

I.

| | |
|--|--|
| Ilion, charter of, amending..... | 869, 1005 |
| Indebtedness, bonded, of cities, villages, towns and counties, act relating to, to amend..... | 40, 149, 190, 191, 206 |
| of municipalities, chap. 75, Laws of 1878, relating to, to amend..... | 661, 779, 780, 1267 |
| Independence river, public highway, to declare.. | 84, 199, 465, 576, 590 |
| | 707, 1248, 1435, 1523, 1585, 1623, 1747 |
| Indigent persons. (See Poor; Poor Laws.) | |
| Insane asylums, condition of, for a commission to investigate.. | 97, 711 |
| Insane, care and custody of, act of 1874 for compilation of laws relating to, further to amend.. | 394, 502, 583, 1038, 1266, 1364 1613 |
| general act relating to, to amend.. | 109, 290, 578, 620, 741, 871, 989 |
| Installation of officers, Dawson Post. (See Grand Army Republic.) | |
| Instruction, public, act of 1876, amending general laws relating to, to repeal | 60, 121, 171, 423, 433, 540, 874 |
| chapter 264, Laws of 1879, relating to, to repeal.. | 339, 926, 1241 1257 |
| general act relative to, to amend.. | 70, 231, 232, 1008, 1218, 1224 |
| general act relating to, to amend.. | 83, 120, 172, 181, 208, 524, 544 |
| (See Veto.) | |
| general act relating to, to amend | 166 |
| general act relating to, to amend..... | 240, 339, 926, 981, 1163 |
| general act relating to, to amend.. | 430, 533, 723, 900, 981, 1136, 1778 |
| general act relating to, to amend | 510, 618, 905, 1200 |
| general act relating to, to amend | 608, 796 |
| general act relating to, to amend | 820, 1043, 1324, 1507, 1818 |
| general act, relating to, amending.. | 1240, 1558, 1639, 1663, 1665 |
| State Superintendent of, election of..... | 705, 751, 753 |
| (See, also, Education.) | |
| Instruments recorded, actions for relief upon. (See Actions.) | |
| Insurance companies, additional information in their annual statements, to furnish..... | 52 |
| capital stock of, act relating to, to amend..... | 71, 455 |
| county and town co-operative, act relating to, to amend.... | 165 |
| act relating to, to amend..... | 173 |
| act relating to, to amend.. | 65, 167, 187, 222, 228, 761, 916, 1049 1176, 1611, 1711 |

| | PAGE. |
|--|-------|
| Insurance companies, sections 6 and 12 of act relating to, to amend | 305 |
| county co-operative, act for formation of, to amend. 550, 691, 1316, 1538 | 1149 |
| depositing of securities by, to regulate. 101, 130, 155, 160, 249, | 267 |
| fire and fire and inland navigation, reports of, relating to, 71, 130, 155, 159, 674, | 101 |
| fire, and marine, capital stock of, act of 1879 relating to, to amend | 716 |
| act for incorporation of, section 1 of, to amend, 392, 455, 914, 1157, 1173, 1747 | 697 |
| admission from other countries than the United States, further to regulate, 469, 884, 929, 987, 997, 1290, 1348, | 671 |
| 1744, 1809 | 1563 |
| damage by lightning, to insure against, 391, 468, 558, 861, 966, | 835 |
| insurance by, to limit. 393, 400, | 1779 |
| issuance of policies and reinsurance, section 3 of act relating to, amending. 1134, | 800 |
| life and health, act for incorporation of, to amend. 65, | 1322 |
| act for incorporation of, to amend. 1009 | 101 |
| life, copy application to policy, to attach. 1287, | 1492 |
| policy-holders in, act for relief of, to amend. 608 | |
| policy-holders in, for relief of. 111 | |
| rights of policy-holders in, to protect. 1021 | |
| securities deposited by, law relating to, to amend, 497, 558, 838, 917, | 513 |
| special deposits by, acts relating to, amending, 870, 978, | 1564 |
| taxation of, to provide for, 503, 854, 969, 1047, 1105, 1270 1459, 1472, 1691, 1835, | 1004 |
| marine, charters of, for amendment of, 344, 690, 867, 1037, 1150, | 1270 |
| 1150, 1260 | 1873 |
| charters, to amend | 1105 |
| town, act for formation of, to amend. 305 | 1150 |
| Insurance Department, salary of Superintendent of, to fix, 291, | 305 |
| | 300 |
| Insurance, fire, by persons not having complied with the insurance laws, to prevent. 338, | 391 |
| of steam boilers. (See Steam Boilers.) | |
| policies, casualty, owners of, to protect. 665, 691, 773, 885, | 1149 |
| policy-holders, life, protection of, for the better. 677 | |
| policy of, amount to be paid on, to fix, 463, 950, 1368, 1468, | 1654 |
| Intemperance, in New York, to suppress. (See New York.) | |
| pauperism and crime, act to suppress, amending. 483, | 978 |
| to suppress. (See Liquors, intoxicating.) | |
| Interest on money, act in relation to, to explain, 11, 40, 54, 73, 98, 106, 107, | 87 |
| | 114 |
| Islip and Huntington, towns of. (See Huntington.) | |

J.

| | |
|---|----------|
| James Prendergrast Library Association, to incorporate, 83, 99, | 103 |
| | 104, 118 |
| Java and Attica. (See Attica.) | |

| | PAGE. |
|---|-------|
| Jefferson county, poor of, act for support of, to amend, 483, 490, 839 889, 968, 1017, 1877 | |
| waters of Lake Ontario in, to release from sections 23 and 26 of the game law.....33, 80, 110, 123, 138, 525, 546 (See Veto.) | |
| Johnson, Catharine. (See Aliens.) | |
| Nannette. (See Aliens.) | |
| Johnstown, electors of, act enabling, to vote by districts for town officers, to amend.....543, 737, 909, 1007, 1085, 1223, 1365 | |
| school district No. 4 of, relating to.....96, 120, 223, 236, 454 | |
| town meeting of, action of, to legalize, 543, 687, 900, 982, 1139 1267 | |
| Joint-stock companies, suits by and against, relating to...986, 1321 1512, 1749 | |
| Joint tenants, husband and wife to hold as, allowing, 131, 174, 248 259, 353 | |
| Jordan and Skaneateles Plank-road Company, corporate exist- ence of, to extend.....132, 513 | |
| Jordan, village of, money, to borrow.....867, 1122 | |
| Judgments, collection of, to facilitate, 698, 798, 1010, 1324, 1507, 1819 | |
| Judiciary, act relating to, to amend.....549, 950, 1149, 1316, 1536 | |
| Jurors, trial, election of, relating to. (See Code of Civil Proceed- ure.) | |
| Justices' court, verification of pleadings in, relating to, 148, 390, 576 590, 658, 1457, 1637 | |
| Justices of the peace, act requiring bonds of, to repeal.....870, 1006 | |
| bonds of, act relating to, to amend.....762, 1126, 1478 | |
| certain, acts of, to legalize, and authorizing execution of official bonds.....508, 531, 584, 903, 1154 | |
| in Brooklyn. (See Brooklyn.) | |
| judgments by, certain property, to exempt from execution under. (See Property.) | |
| when material witnesses, Revised Statutes relative to, amend- ing. (See Revised Statutes.) | |
| Juvenile delinquents, appropriations for..860, 917 | |

K.

| | |
|--|--|
| Keeseville union free school district, money, to borrow...975, 1049 1202, 1435 | |
| Kehr, Peter, John A. Kellner and Louis Ott, relief of, for the, 694 1100, 1305, 1342, 1484 | |
| Kennedy, Ellen. (See Aliens.) | |
| Kinderhook, charter of, amending.....1730, 1842 | |
| town of, highway in, certain, relating to.....665, 796, 952, 1041 | |
| Kings county, and Brooklyn, board of estimate and apportionment for, to create.....482, 532, 1323, 1325, 1509, 1815 | |
| and New York. (See New York.) | |
| armories in, janitors for, relating to..869, 1082, 1505, 1511, 1806 | |
| assessments in, relating to..548, 763 | |
| board of charities and corrections, providing for..767, 888, 1012 1053 | |

| | PAGE. |
|---|--|
| Kings county, board of supervisors of, certain supplies to purchase without advertisement..... | 40, 229 |
| (See Kings County, Poor of.) | |
| clerk of, term of office of, relating to.. | 64, 80, 110, 123, 139 |
| | 330, 350 |
| (See Veto.) | |
| lands for the use of the national guard, to purchase, | 74 |
| | 75, 87, 94, 224, 276, 303 |
| Moses Kessel, to reimburse..... | 1849 |
| clerk of, repair of certain records by, act authorizing, to repeal..... | 34, 72, 87, 88, 98, 107, 673, 702 |
| courts in, officers of, number of, relating to..... | 294 |
| office of auditor of, to abolish..... | 146, 199, 341 |
| officers of, compensation of..... | 78, 1121 |
| poor of, act relating to, to amend.... | 40, 229, 406, 468, 573, 589 |
| | 653, 1638 |
| public moneys in, expenditure of, relating to..... | 198, 455 |
| railroads in, outside Brooklyn, relating to..... | 195 |
| reimbursement of Walter L. Livingston by, relating to.. | 237, 431 |
| | 803, 956 |
| sales of real estate in, certain, to confirm..... | 34 |
| towns of, citizens in, entitled to right of suffrage, to ascertain..... | 53, 113, 144, 155, 163, 566, 664, 758, 792, 876, 896 |
| Kingston, board of education, certain powers in, to vest.... | 370, 432 |
| | 732, 903, 981, 1156, 1365, 1430, 1466, 1637 |
| charter of, to amend..... | 678, 714, 1131, 1241, 1363, 1472 |
| city bonds, act relating to, amending..... | 1009, 1081, 1131, 1316 |
| | 1332, 1874 |
| water for..... | 1150, 1300, 1474, 1656 |
| Knickerbocker Casualty Insurance Company, capital stock of, to increase..... | 225, 228, 406, 524, 838, 1015, 1747 |
| Knights of Honor, Grand Lodge, to incorporate..... | 1009, 1123, 1297 |
| | 1330, 1876 |
| Knights of Maccabees of the World, to incorporate.. | 1434, 1491, 1592 |
| | 1675 |
| Knights of Pythias, Grand Lodge, to incorporate.. | 128, 290, 466, 624 |
| | 693, 892, 1472 |
| L. | |
| Labor statistics, bureau of, to establish..... | 35, 116, 528 |
| report of, by Secretary of State, to require.. | 35, 79, 528, 1632 |
| Lake George, deer in vicinity of, to preserve..... | 286, 552 |
| islands of, trees and shrubbery on, to preserve.... | 869, 884, 1133 |
| | 1333, 1471, 1647, 1844 |
| Lancaster, charter of, to amend..... | 819, 834, 1323, 1503, 1687, 1782 |
| Land office, commissioners of, powers of, concerning..... | 53, 175 |
| Lands, bid in by the Comptroller in the year 1877, taxes on, for 1879. (See Taxes.) | |
| possession of, summary proceedings for, act amending Revised Statutes relating to, to amend.. | 112, 1079, 1512, 1749 |
| summary proceedings to recover, Revised Statutes relative to, amending. (See Revised Statutes.) | |
| under water, act of 1850 relating to, amending.... | 895, 950, 1513 |
| unoccupied, cutting timber on, to prevent..... | 198, 248 |

| | PAGE. |
|---|--|
| Lansingburgh, charter of, to amend... | 452, 554, 982, 1318, 1563, 1711 |
| Laws of 1867, chapter 581 of, to amend..... | 112 |
| of 1869, chapter 510, title 7, section 8, to amend..... | 1005 |
| of 1877, chapter 381 of, to amend..... | 680 |
| of 1879, chapter 405 of, section 2 of, to amend.... | 483, 618, 908 |
| of New York, section 8, chapter 534, to amend..... | 1145, 1218, 1346, 1874 |
| Lenox, town of, additional justice of the peace and constable for, relating to..... | 548, 679, 983 |
| from town auditors' act, to exempt..... | 661, 679, 1124, 1256, 1276 |
| justice of the peace for, election of, to authorize..... | 48 |
| Le Roy, trustees of, additional powers on, to confer.... | 354, 401, 717 |
| Liberty, town of, receiver of taxes in, relating to.. | 779, 832, 1042, 1096, 1110, 1206, 1365 |
| Libraries, judicial district, making appropriation for... | 736, 949, 998, 1042 |
| | 1102 |
| | 850 |
| | 1454 |
| License fees, for doing business on canals. (See Canals.) | |
| on certain bills, to impose..... | 489, 800 |
| Liquors, certain, sale of, to regulate..... | 350, 679 |
| intoxicating, druggists who deal in. (See Druggists.) | |
| sale, act regulating, further to amend..... | 1119, 1301 |
| sale of, act regulating, to amend..... | 240, 501 |
| to amend..... | 38, 336, 560, 847, 969, 1077 |
| sale, in cities, to regulate..... | 57, 979 |
| license of, electors of any town or ward to determine as to, to enable..... | 546, 679 |
| use of, in prisons, penitentiaries, etc., to regulate, | 218, 390 |
| | 909, 1008, 1211, 1227, 1637 |
| wines, ale and beer, sale of, in cities of above 400,000 inhabitants, to regulate..... | 1427, 1559, 1656, 1865 |
| Little Falls, act reincorporating, to amend, 549, 617, 1148, 1316, | 1537 |
| | 1804 |
| Livery-stable keepers, act for protection of, to amend, | 183, 277, 466 |
| | 571, 588, 644, 874 |
| Livingston, Walter L. (See Kings County.) | |
| Loan associations, mutual, act for incorporation of, to amend.. | 292 |
| Lobsters, preservation of | 1120, 1123, 1238, 1279, 1306, 1435 |
| Lockport, bridge over Erie canal in, relating to, | 127, 395, 496, 700 |
| | 779, 784, 1042, 1175, 1221, 1252 |
| charter of, to amend, 539, 616, 864, 1023, 1096, 1132, 1136, | 1204 |
| fire alarm for, system of, to provide..... | 57, 79, 109, 110, 135 |
| Logs and timber, procurement of, laborers engaged in and persons furnishing supplies for, to protect, | 306, 678, 881, 914, 1092 |
| | 1555, 1834 |
| Long Beach, special policemen for, to appoint, 977, 1082, 1313, 1509 | |
| | 1802, 1862 |
| Long Island City, assessments for taxes in, relating to, | 880, 979, 1147 |
| | 1319, 1342, 1474, 1534 |
| Astoria, streets and avenues in, certain, relating to, | 344, 372 |
| | 722, 899, 1210, 1218 |
| bonds, to issue, | 1330, 1414 |
| first ward of, improvements in, act relating to, amending .. | 512 |

| | PAGE. |
|---|--------------------------------------|
| Long Island City, Flushing avenue in, act for improvement of, to amend..... | 219, 513, 722, 906, 1085, 1165, 1472 |
| government of, relating to..... | 977, 1006 |
| improvement commissioners in, term of office of, to extend, 1048, 1113, 1699, | 1876 |
| improvement commission in, expenses of, to reduce, 544, 553, 1125, 1256, 1709, | 1758 |
| Jackson avenue, to improve, | 869, 1301, 1436, 1632 |
| Riker avenue in, relating to . | 147, 372, 722, 842, 1050, 1066, 1779 |
| salaries of aldermen in, to limit..... | 127, 374 |
| Steinway avenue in, to improve.. | 132, 271, 721, 902, 1157, 1167 |
| | 1778 |
| taxes in, assessment and collection of, relating to, 370, 474, | 722 |
| unpaid taxes and water assessments in, relating to, 976, 1006, | 1143 |
| | 1147, 1342, 1384, 1708 |
| Long Lake, cemetery in, to establish,..... | 1044, 1157, 1270, 1493 |
| Loon lake, fish in, for preservation of, 184, 272, 466, 577, 590, | 727 |
| | 1042 |
| (See Veto.) | |
| Lowville, town of, bonds for bonds, to issue, 77, 288, 466, 572, 589, | 650 |
| | 859, 1171 |
| bonds of, act relating to, amending | 1068 |
| Lumber, logs, etc.. passage of, on rivers. (See Rivers.) | |
| Lumbermen, protection of. (See above; Logs and Timber.) | |
| Lunacy, State Commissioner in. (See Insane, Care of, etc.) | |
| M. | |
| Macedon, village of, election of officers for, to confirm, 548, 589, | 630 |
| | 996, 1171 |
| Madrid, town of, money, to borrow, 306, 376, 468, 570, 588, 637, | 859 |
| village of, fire department in, to establish, 312, 476, 537, | 621 |
| | 692, 742, 815 |
| Maenner Gesang Verein Eichenkranz, to incorporate; 757, 795, | 908 |
| | 1009, 1231 |
| Maine insurance companies, incorporated under the laws of this State. (See Insurance.) | |
| Malone, board of education in, relating to, 239, 297, 467, 626, | 693 |
| | 773, 1162 |
| Mandamus against common carriers. (See Common Carriers.) | |
| against county canvassers. (See County Canvassers.) | |
| Manheim, town of, purchase of stone-crusher by, to authorize, | 438 |
| | 551 |
| Manlius Academy, trustees of, to convey academic property, to authorize..... | 484, 533, 865, 917, 1105, 1267 |
| Manufacturing companies in cities of less than 300,000 inhabitants, from local taxation, to exempt .. | 733, 795 |
| interests, better protection of, for the. | 1009, 1237, 1512, 1668 |
| law, act extending operation of, to amend..... | 394, 463 |
| act extending, to amend.... | 549, 691 |
| act of 1879 amending, to amend, 816, 952, 1010, 1124, | 1276 |
| | 1281 |
| act of 1879 relating to, to amend.... | 70, 102, 144, 155, 162 |
| operation and effect of, to extend | 1078, 1121, 1324 |

| | | | | | | | |
|--|----------|-------|-------|-------|-------|-------|------|
| Manufacturing law, operation and effect of extending..... | 1686, | 1706 | | | | | |
| operation of, to extend..... | 995, | 1490, | 1680 | | | | |
| section 12 of, to amend..... | 451, | 597, | 982, | 1125, | 1297, | 1327 | |
| to amend..... | 677, | 799, | 1148, | 1319, | 1573 | | |
| to amend..... | 37, | 598, | 723, | 904, | 1050, | 1158 | |
| mining, mechanical or chemical purposes, corporations for, | | | | | | | |
| to authorize | 279, | 561, | 627, | 638, | 654, | 664 | |
| Married women, acknowledgment of deeds by. (See Deeds.) | | | | | | | |
| rights and liabilities of, relating to..... | 40, | 78, | 144, | 155, | 162 | | |
| witnesses against their husbands in certain criminal cases. | | | | | | | |
| (See Criminal Prosecutions.) | | | | | | | |
| Marrin, Francis. (See Aliens.) | | | | | | | |
| Mayfield, voting for town officers in, relating to... | 90, | 737, | 900, | 1048 | | | |
| | 1134, | 1468, | 1560, | 1638 | | | |
| Mechanics and others, protection of, to provide for, 511, 617, | | | | 908 | | | |
| | 1007, | 1157, | 1223, | 1778 | | | |
| and workmen performing labor upon, and furnishing ma- | | | | | | | |
| terial for, buildings in cities, payment of, to secure, 392, | | | | 432 | | | |
| | 763, | 983, | 1146, | 1241, | 1429, | 1730, | 1846 |
| doing work upon public buildings, payment of, to secure... | | | | | | 34 | |
| erecting buildings in certain counties, act for the better se- | | | | | | | |
| curity of, to amend..... | 132, | 399, | 477, | 496, | 587 | | |
| lien law, extension of, to labor on wharves, piers, etc., for | | | | | | | |
| the..... | 418, | 471, | 581, | 620, | 692, | 731 | |
| Medical science, act to promote, amending..... | 1149, | 1751 | | | | | |
| act of 1854 to promote, amending..... | 483 | | | | | | |
| Medicines, adulteration of. (See Drugs, etc.) | | | | | | | |
| Medina, Alert Hose Company No. 3 of, to incorporate, 440, 532, | | | | 897 | | | |
| | 913, | 1084, | 1170, | 1365, | 1441, | 1626, | 1747 |
| fire department of, to incorporate..... | 103, | 115, | 126, | 143, | 182 | | |
| Meetings, religious, persons disturbing, for the arrest of... | 111, | 170 | | | | | |
| | 423, | 481, | 496, | 590, | 1876 | | |
| Mercantile commissioners, board of, to create..... | 38, | 290 | | | | | |
| Message, annual, of the Governor..... | 12 to 24 | | | | | | |
| Metropolitan Merchandise Company, to incorporate..... | 1549, | 1812 | | | | | |
| police, act conferring additional power upon, to amend.... | 65 | | | | | | |
| Transit Company, act of 1872 relating to, to supplement... | 398 | | | | | | |
| Mexican war, survivors of the. (See Volunteers.) | | | | | | | |
| Middleburgh, village of, act making separate road district, to | | | | | | | |
| amend..... | 65, | 75, | 87, | 151, | 181, | 184, | 303 |
| (See Veto.) | | | | | | | |
| Middletown, town, separate road district in, act creating, to | | | | | | | |
| amend..... | 1330, | 1433, | 1439, | 1512, | 1555, | 1716 | |
| village, charter of, amending..... | 868, | 980, | 1648 | | | | |
| Military Code. (See Code.) | | | | | | | |
| Milk, adulteration of, act to prevent, amending..... | 27, | 28, | 247, | 926 | | | |
| rate for transportation of, to fix..... | 30, | 553 | | | | | |
| Mischief, malicious, to prevent..... | 600 | | | | | | |
| Missionary Society of the Episcopal Church. (See Domestic and | | | | | | | |
| Foreign Missionary Society.) | | | | | | | |
| Missions of the Presbyterian Church. (See Board of Home Mis- | | | | | | | |
| sions.) | | | | | | | |
| Mohawk, charter of, amending..... | 1239, | 1303, | 1577 | | | | |

| | PAGE. |
|---|--|
| New York city: | |
| and Brooklyn, wharfage, relating to..... | 98 |
| and Kings county, charitable institutions, from payment of water tax rent, to exempt | 287 |
| gas companies, extortion by, act to prevent, amending, | 1434 |
| | 1642 |
| notaries public, powers of, to extend..... | 195 |
| referees and receivers, relating to...111, 112, 472, 522, | 577 |
| | 590, 724 |
| armory for Ninth regiment, site for, providing | 268, 882 |
| assessments, for local improvements, certain, relating to, 788, | 977 |
| | 1122, 1492, 1572, 1788, 1875 |
| certain, revision of, to provide for..... | 331, 332, 373 |
| payment of..... | 145, 296, 724, 804, 957, 1150 |
| for taxes, relating to..... | 549 |
| for taxes, relating to..... | 549, 686, 815 |
| time for making and correcting, to extend | 694 |
| Bachelor club of, to incorporate..470, 600, 982, 1145, 1241, | 1347 |
| | 1778 |
| bath, public, act for an additional, amending | 1119, 1431 |
| Bellevue Hospital, reception in, of persons not resident of New York city, to authorize | 482, 502, 584, 899, 1127 |
| births of children, registration of, under certain circum- stances, relating to | 377, 378, 530, 899, 1128, 1341 |
| Bloomingtondale road, reopening and extension of | 1287, 1812 |
| reopening and extension of, to provide for | 805 |
| board of estimate and apportionment, powers of, to restrict, | 98 |
| | 978, 1000, 1085, 1361, 1832 |
| board of health of, certain actions by, commencement of, relating to..... | 543 |
| bonds of, certain, exempt from taxation, issue of, to provide for..... | 84, 1104 |
| certain, exempt from taxation, issue of, to authorize.. | 1835 |
| certain, registration of, to provide for.... | 678, 779, 781, 1171 |
| buildings and combustible materials, general act relating to, to amend | 392, 513, 583, 842, 844 |
| for county purposes, relating to...664, 882, 1324, 1508, | 1677 |
| of wood or other combustible material, construction of in a certain locality, prohibiting..... | 1330, 1433 |
| wooden, in certain portion of, to prohibit..... | 145, 371, 724 |
| | 923, 960 |
| Centennial Insurance Company, act extending time for organization of, to amend..... | 895, 978, 1058, 1157, 1271, 1711 |
| Central park, from encroachment of elevated roads, to pro- tect..... | 84, 122, 236, 259, 322, 1476, 1642, 1650, 1804, 1865 |
| Chapin Home, act incorporating, to amend, 1550, 1687, 1761, | 1852 |
| charitable, benevolent and corrective associations in, relat- ing to..... | 608, 882 |
| cheap transit, additional, to provide for | 49 |
| children, destitute Roman Catholic, society for protection of, charter of..... | 1132, 1322, 1335, 1576 |
| half-orphan and destitute, society for relief of, charter of, to amend..... | 332, 396, 580, 840, 969, 1018, 1038, 1874 |

INDEX.

1911

| New York city : | PAGE. |
|--|--|
| clerk and register, relating to | 1886, 1812 |
| combustibles, keeping and storage of, act consolidating law relative to, to amend..... | 520, 715, 844 |
| commissioners of deeds, additional, relating to... | 861, 1268, 1440 1509, 1801, 1874 |
| commitments of children, to limit.. | 119, 473, 581, 624, 693, 769 |
| common council of, certain proceedings of, to legalize.. | 800, 400 682, 761, 1553, 1800 |
| convicts and paupers of, for employment of. | 35 |
| coroners' inquest, better to regulate | 430 |
| Cotton Exchange, act for incorporation of, to amend... | 311, 390 541, 952, 1201 |
| courts of record, act of 1879 amending the act of 1875 re- lating to, to repeal..... | 60, 120, 171, 181, 206, 698 |
| act repealing chapter 515 of Laws of 1879, relating to, to amend | 847, 851, 857, 862, 1085, 1611, 1711 |
| relating to..... | 608 |
| Croton water, rents of, act relating to, section 15 of, to amend | 470 513, 1323, 1511, 1826, 1876 |
| deeds given by the mayor, aldermen and commonalty, cer- tain, relating to..... | 1373, 1584 |
| district courts, clerks of in 1876, for relief of.... | 291, 372, 486 487, 496, 592, 620 |
| janitors in, relating to.. | 36, 72, 87, 98, 104, 203, 585, 682, 698 704 |
| jurisdiction of, relating to.... | 196, 199, 464, 569, 589, 634 |
| relating to..... | 820 |
| docks, department of, expenses of, to provide for..... | 89, 431 |
| Duffy, Thomas, relief of, for the.. .. | 661, 1300, 1512, 1669 |
| East river bridge, act extending time for construction of, to amend..... | 430 |
| completion of, to provide for..... | 483, 601, 681, 696 |
| Eighth Avenue Railroad Company, route of, extension of, act relating to, to amend..... | 218 |
| elections, act relating to, to amend..... | 451 |
| act relating to, to amend..... | 291, 292 |
| act in relation to, to repeal. (See Election Law.) | |
| elevated railroads, compensation in lieu of taxes, to pay.... | 1554 |
| crossings of streets by, lights at, to provide for.. | 970, 1100 1310, 1507, 1816 |
| fare on, to reduce..... | 37 |
| fare on, to regulate, 35, 335, 347, 381, 382, 405, 415, 417, | 449 525 |
| relating to..... | 497, 678, 915 |
| Emigrants' Savings Bank, relief of..... | 1686 |
| Empire Yacht Club, to incorporate.. | 805, 881, 1148, 1423, 1577 1873 |
| employees of the mayor, aldermen, etc, certain, relating to.. | 196 714 |
| of the mayor, aldermen, etc., certain, relating to.. | 235, 714 |
| Exchange Salesroom, to incorporate..... | 39, 334, 376, 431, 926 |
| female employees, protection of, chapter 175, Laws of 1878, relating to, further to amend.... | 388, 473, 585, 693, 890, 1876 |

New York city :

| | PAGE. |
|---|--------------------------------|
| ferriage, foot passenger, from East 34th street to Borden avenue, rate of, to regulate..... | 661 |
| ferry boats to and from, safety of passengers upon, relating to..... | 53 |
| property and franchises, leasing of, to provide for..... | 796 |
| 844, 917, 1073, 1458, 1585, 1699, 1735, 1875 | 690 |
| Fifth avenue, repaving part of..... | 1298 |
| firemen, act regulating pay of, to amend..... | 39, 763, 1012 |
| First avenue, act relating to, amending..... | 1687 |
| improvement of..... | 1298, 1510, 1578, 1711 |
| Five Points House of Industry, relief of, for the..... | 429, 531, 833 |
| 1330, 1439, 1641 | |
| Fourth avenue, public parks of, to improve..... | 131, 372, 557, 837 |
| 862, 1001, 1874 | |
| Friendship Association, to incorporate..... | 805, 851, 1148, 1318, 1567 |
| Fulton market, to rebuild..... | 1266, 1300, 1507, 1582 |
| garden produce in, additional facilities for sale of, to provide..... | 11 |
| (See below.) | |
| German Hospital, act amending charter of, to amend..... | 527, 618 |
| Masonic Temple Association, to incorporate..... | 817, 951, 1141 |
| government of, act reorganizing, to amend..... | 495, 1300 |
| act to reorganize, to amend..... | 451 |
| reorganization of, section 3 of act of 1874 relating to, to repeal..... | 218 |
| Governor's Guard, to incorporate..... | 664, 734, 1364, 1583, 1593 |
| hackney coaches and carriages in, act relating to, to amend..... | 56 |
| 100, 130, 155, 158, 328, 343 | |
| harbor, jurisdiction over lands in, to cede to United States..... | 233 |
| 402, 515, 521, 539, 643, 1162 | |
| Robbin's Reef, relating to..... | 50, 92, 476 |
| seamen in, act relating to, to amend..... | 253, 395, 716 |
| Harlem, Young Men's Hebrew Association, relief of..... | 253, 490 |
| 582, 719, 933, 1877 | |
| health, public, preservation of..... | 1554, 1831 |
| horse railroad companies, to employ conductor on every car, compelling..... | 39, 288 |
| household furniture, removal of, persons engaged in, for the better protection of..... | 343, 400, 580 |
| improvements, certain, relating to..... | 97, 454, 615, 1041, 1061, 1468 |
| 1489 | |
| intemperance, to suppress, by regulating the sale of liquors..... | 29 |
| 67, 86, 501, 557, 854, 927 | |
| interest, claims of, arising out of certain contracts, for the adjustment of..... | 1089, 1300, 1409 |
| Jefferson market building in Fifth Senatorial district, erection of..... | 392, 689, 1440, 1510, 1828 |
| judicial districts, first and third, boundaries of, to alter..... | 451 |
| 474, 537, 665, 747 | |
| Knickerbocker Casualty Insurance Company, name of, to change..... | 131, 167, 187, 207, 262, 618 |
| Ladies' Deborah Nursery and Child's Protectory, to incorporate..... | 512 |
| Union Aid Society, relating to..... | 1044, 1085, 1269, 1754 |
| lands, for school purposes, exchange of, to authorize..... | 546, 796 |

New York city:

| | PAGE. |
|--|---|
| lands, drainage of, proper, to provide for..... | 511, 601, 724, 922 |
| | 1215, 1219, 1472 |
| laws affecting public interests, local and special, revision of, for the | 1372, 1491, 1553, 1731, 1807 |
| legal proceedings in which mayor, aldermen, etc., are inter- ested, relating to..... | 191, 192 |
| Levy, Simon, claim of..... | 1120 |
| liens of contractors upon real estate, act of 1875 relating to, further to amend..... | 369, 598, 908 |
| local improvements and assessments, relating to.. | 866, 1099, 1635 |
| McVeany, James E., salary of, payment of.... | 449, 553, 800, 902 |
| | 1084, 1128, 1778 |
| Maimonides Benevolent Society of, act authorizing, to hold land, to amend..... | 35, 221 |
| Manhattan Savings Institution of, for relief of.. | 90, 125, 166, 167 |
| | 171, 207, 208, 462, 480 |
| manure, removal of, from built-up portion of city, to facili- tate..... | 728, 763, 901, 1084, 1150 |
| marine court, actions in, against mayor, aldermen and com- monalty..... | 1298, 1320, 1382, 1504, 1785 |
| relating to..... | 732 |
| section 9 of act of 1874 relating to, to amend..... | 369 |
| market place, for farmers and gardeners, to provide.. | 11, 296, 372 |
| | 699, 701, 779, 987, 999 |
| markets and land for market purposes, relating to.. | 608, 777, 786 |
| | 792, 793, 857, 1121, 1221, 1315, 1383, 1409, 1416 |
| marshal, office of, to abolish.. | 489, 597, 897, 924, 925, 1510, 1658 |
| | 1874 |
| office to abolish..... | 39 |
| marshals, appointment of.. | 98 |
| Metropolitan Transit Company of, act authorizing, to con- struct certain railroads in, to repeal..... | 49 |
| Morningside park, improvement of.. | 606, 715, 1324, 1505, 1670, 1765 |
| Morrisania, West Farms and King's Bridge, act relative to annexation of, to amend..... | 89, 763 |
| Morton, George W., salary and expenses of, to pay.... | 1045, 1099 |
| | 1324, 1502, 1774, 1873 |
| national guard, land for, purchase of | 806, 850 |
| night medical service, to organize.. | 970, 1081, 1513, 1669, 1670, 1790 |
| northern dispensary, act incorporating contributors to, to amend..... | 451, 689, 909, 1510 |
| nuisances, to prevent, and better secure the public health... | 776 |
| | 982, 1285, 1342, 1536 |
| officers, certain, compensation of, to fix..... | 65 |
| pay of, to establish | 39 |
| public, payment for proceedings against, to provide for.. | 627 |
| | 850, 898, 1502, 1706, 1875 |
| offices, certain vacant, to fill..... | 1300 |
| One Hundred and Eleventh street, part of, relating to.. | 1373, 1392 |
| | 1415, 1684 |
| and Twenty-sixth and One Hundred and Twenty-seventh streets, relating to..... | 268, 983, 1124 |
| opening of, in relation to.. | 512, 807, 1199, 1294, 1871, 1873 |

| | PAGE. |
|---|---|
| New York city : | |
| One Hundred and Twenty-eighth street, opening of, in relation to..... | 511 |
| and Thirtieth street, to widen..... | 817 |
| part of, to widen..... | 733, 1433 |
| Order Germania, to incorporate..... | 1534, 1805 |
| parks, streets and public places, opening of, in relation to .. | 35 |
| 121, 665, 921, 1256, 1257, | 1874 |
| payments made by the mayor, etc., claims of interest on, settlement of..... | 311 |
| physicians, regular, list of, to be published..... | 1686, 1751 |
| pier for police and fire departments, dock department, to construct..... | 1078, 1099, 1510, 1826 |
| pilotage and pilots of, relating to..... | 96 |
| pilotage, relating to..... | 89 |
| police courts, act to secure better administration in, to amend, | 430 |
| 529, | 1452 |
| policemen and firemen injured in discharge of duties, relating to... .. | 127, 474, 581, 1509, 1803 |
| police pension fund, to establish .. | 820, 852, 913, 1218, 1257, 1433 |
| police, voluntary savings fund for, to establish..... | 1299 |
| Porous Plaster Company of, act incorporating, to amend. 40, | 99 |
| 119, 130, 133, 143, 189, 319, 820, | 350 |
| portion of, near Academy of Sacred Heart, laying out and improving, for..... | 1434, 1686, 1704 |
| port and harbor of, and waters near the same, relating to... .. | 267 |
| 690, 724, 840, 1019, 1108, 1242, 1523, | 1661 |
| port of, health officer of, relating to..... | 398, 455 |
| regulations for, act establishing, to amend..... | 25, 175, 616 |
| seamen in, for the better protection of..... | 345 |
| prisons, keepers in, for relief of. | 976 |
| Produce Exchange, erection of new building by, relating to, | 440 |
| 474, 587, 618, 739, | 949 |
| Public Exchange, act incorporating, to amend, 78, 99, 130, | 155 |
| 158, 833, 859, 1013, 1053, 1399, | 1711 |
| railroads, act relating to, to amend..... | 339 |
| real estate, leasing of, by mayor, aldermen and commonalty, to regulate... .. | 1256, 1321, 1512, 1669, 1793 |
| referees, receivers, etc., names of, publication of, to provide for..... | 173, 472, 522, 574, 590, 657 |
| refuse, speedy disposition of, to facilitate..... | 1306, 1346, 1527 |
| reservoir between Fortieth and Forty-second streets, removal of; for the. 480, 867, 1010, 1096, 1103, 1282, 1292, | 1746 |
| Riverside park, improvement of..... | 1687 |
| Robert Emmet Literary Society, to incorporate... .. | 661, 797, 983 |
| 1145, 1241, | 1345 |
| runners, relating to..... | 49, 220, 557, 721, 828, 938, 1268, 1366 |
| Sanitary Code, proof of, to simplify, 370, 474, 581, 624, 693, 767, | 859 |
| proof of, to simply. | 520, 882 |
| Schampain, Chas. I., notary in, acts of, to legalize ... | 198, 597 |
| 723, 1503, | 1783 |
| schools, common, relating to..... | 165, 200, 402, 446, 533 |
| relating to..... | 112 |
| school lands, exchange of, to authorize..... | 1238 |

New York city:

| | PAGE. |
|---|---------------------------------------|
| Second Avenue Railroad Company, act relating to, to repeal..... | 253, 690 |
| seventh judicial district, to divide..... | 294, 798 |
| sewer in Forty-second street, work upon, to pay for.... | 845, 1082 |
| | 1146, 1297, 1338 |
| Shepherd's Fold, acts relating to, to repeal..... | 70 |
| sheriff of, relating to..... | 392, 431, 538, 718, 784, 869, 962 |
| slips, piers and wharves on East river, certain, act regulating use of, to amend..... | 305, 698 |
| "Special and Local Laws," etc., reading of, in courts; to authorize..... | 1256, 1432, 1824, 1856 |
| streets, avenues and roads, opening of, economy in.... | 1132, 1433 |
| cleaning of, and collection of garbage, to provide for..... | 39, 100, 166 |
| to provide for..... | 39, 100, 166 |
| to provide for..... | 287, 296 |
| to provide for..... | 1305, 1346, 1813 |
| taxes and assessments in towns annexed from Westchester, certain, relating to, 616, 901, 981, 1142, 1267, 1326, 1365, | 1463 |
| taxes, arrears of, in relation to, 440, 499, 582, 718, 779, 783, | 859 |
| personal, arrears of, relating to..... | 845 |
| relating to..... | 987, 1100, 1335, 1414, 1515, 1734 |
| Third Avenue Railroad Company, relief of, 845, 995, 1433, | 1570 |
| | 1574, 1764 |
| Tompkins square, restoration of, relating to.. | 285, 432, 443, 477 |
| | 503, 504 |
| Twenty-third and Twenty-fourth wards, lands sold for taxes in, redemption of.... | 511, 616 |
| (See Taxes and Assessments.) | |
| Washington market, lands near, acquisition of, for market purposes..... | 1315, 1660 |
| water, pure and wholesome, relating to..... | 49, 400, 580, 718 |
| | 779, 928, 1526 |
| wharves on East river, certain, act relating to, to amend, | 608, 796 |
| Niagara county, judge, salary, establishing..... | 1687 |
| upon the supervisors of, additional powers, relative to the poor, to confer..... | 77, 101, 118, 150, 187, 207, 261, 380 |
| (See Veto.) | |
| Niagara Falls, village of, certain lands in, appropriation of, to preserve the scenery of the falls, to authorize.... | 694, 711, 897 |
| | 975, 984, 1042, 1103, 1256, 1295 |
| inferior court in, to establish..... | 976, 1079 |
| police justice in, for appointment of..... | 1434, 1493, 1557 |
| Niagara Grand Island Bridge Company, charter of, to amend, | 704 |
| | 1513, 1552, 1803 |
| Noonan, Margaret, real estate of, sale..... | 1690, 1876 |
| Normal schools, property of the State provided for, powers of local boards in relation to..... | 520, 796, 1149, 1424, 1605 |
| North and East rivers, deposit of carrion in, act to prevent, amending..... | 817, 884, 1148, 1316, 1394 |
| North Hempstead and Oyster Bay, towns of, Jones fund of. | |
| (See Oyster Bay.) | |

| | PAGE. |
|--|-------|
| Notaries public, counselors at law as, for appointment of, 31, 72, 86 | |
| 87, 98, 105, 542, 585, 683, 716, 800 | |
| (See Veto.) | |
| in certain counties, law relative to, amending, 344, 499, 582, 834 | |
| 916, 964, 1267 | |
| term of office of, act to limit, amending..... 792, 852, 880, 891 | |
| Notary public and commissioner of deeds, offices of, qualifica- tions for, to prescribe. (See Deeds.) | |
| Notes of issue, filing of, relative to..... 77, 799 | |
| O. | |
| Oaths, commissioners to take, in other States. (See Commis- sioners to take oaths, etc.) | |
| Officers, executive, Revised Statutes relative to, to amend. (See Revised Statutes.) | |
| public, bonds of, for the better security of, 369, 391, 487, 513 | |
| 558, 842, 862, 1019, 1875 | |
| fees of, a burden upon cities, relating to, 98, 714, 978, 1000 | |
| 1105, 1349, 1834, 1873 | |
| Office, vacancies in, relating to..... 37, 67, 82, 87, 94, 140 | |
| Ogdensburg, school rooms in, additional, relating to, 198, 229, 346 | |
| 349, 360, 362, 382 | |
| O'Keefe, John, estate of, town of Mount Pleasant to reimburse, 745 | |
| 858 | |
| Olean, charter of, amending.... 452, 810, 983, 1125, 1316, 1326, 1468 | |
| Oneida county, board of equalization in, to create, 53, 101, 140, 155 | |
| 162 | |
| judge and surrogate of, compensation of, to regulate, 29, 851 | |
| 1992, 1318, 1392, 1566 | |
| taxes levied in, for collection of, 29, 101, 181, 190, 215, 483, 545 | |
| 592, 664 | |
| Onondaga county, board of supervisors of, money, to borrow, 1117 | |
| 1171 | |
| office of supervisor in, to make salaried..... 84, 101, 166 | |
| Onondaga Indians, treaty with, to authorize.... 343, 1081, 1368, 1452 | |
| Onondaga Salt Springs Reservation, sale of fine-salt lots on, act of 1878, relative to, to supplement..... 311, 371, 1343, 1582, 1779 | |
| Ontario lake, part of waters of, to protect, 418, 552, 723, 837, 968 | |
| 974, 1366, 1602 | |
| Orange county, from act relating to publication of session laws, to exempt 109, 454, 461, 489, 583, 717, 721, 834, 964 | |
| judge and surrogate of, compensation of, to establish, 110, 551 | |
| 984, 1144, 1337 | |
| Organization of the Assembly..... 6 | |
| Orleans, county, treasurer of, property for unpaid taxes, to sell, 370 | |
| 401, 664, 712, 775, 822 | |
| town of, bonds, to issue 676, 691, 904, 982, 1159, 1874 | |
| Oswego, city of, and town of Volney, sale of railroad stock by, to authorize..... 128, 168, 169, 232 | |
| real estate in, certain, sale of, to authorize, 313, 512, 583 | |
| 624, 693, 770, 1468 | |
| recorder's court in, to abolish..... 71 | |
| sales of stock by, proceeds from, use of ... 1299, 1321, 1554 | |

| | PAGE |
|--|------------------------------------|
| Oswego county, and Onondaga, boundary between, to alter.... | 84 |
| clerk of, act authorizing, to sign certain certificate, section | |
| 2 of, to repeal | 147, 296, 466 |
| from law creating town auditors, to exempt.... | 58, 189, 228, 250 |
| Otsego, town of, appropriation of certain moneys raised by, to | |
| authorize..... | 132, 272, 465, 621, 692, 743, 1162 |
| Overlook Turnpike Company, rates of toll to, regulating, 431, 514, | 723 |
| 835, 861, 966, | 1267 |
| Owego, fire department of, charter of, amending, 806, 913, 1117, 1525, | 1709 |
| Owners, unknown, judicial decrees against, to make effectual, | 1240 |
| 1320, 1513, 1556, 1669, | 1817 |
| Oyster Bay, town of, and North Hempstead, Jones' fund for sup- | |
| port of poor of, section 3 of act relating to, to amend, 393, | 473 |
| 581, 845, 922, | 1194 |
| planting of oysters in the waters of, to regulate, 11, 247, | 388 |
| 423, | 428 |
| Oyster beds, taxation of, for the..... | 165, 346 |
| Oysters and clams in water south of Staten Island. (See Staten | |
| Island.) | |
| P. | |
| Palmyra, bridge over the Erie canal at, for the construction of, | 377 |
| 512, 681, 915, 1174, 1427, | 1516 |
| Pardons, and corrections, State board of, to institute, 895, 1302, | 1369 |
| 1508, | 1511 |
| granted by the Governor in 1879. (See Reports.) | |
| Parks, private, in cities, care of, to provide for, 84, 122, 172, 181, | 190 |
| 214, 483, 526, 547, 565, | 702 |
| Parnell, Hon. Chas. S., granted privileges of the floor..... | 94, 96 |
| Parshall, Hon. De Witt, in memory of,..... | 1471 |
| Partition, actions of, relating to..... | 235 |
| proceedings in, by persons entitled to an interest in real | |
| estate, relating to | 119 |
| of lands held by husband and wife, relating to, 53, 78, 107, | 108 |
| 136, 1435, 1514, 1585, 1624-25, | 1875 |
| Passengers on street railroads. (See Railroads.) | |
| Pavilion, town of, office of railroad commissioner in, relating to, | 399 |
| 538, | 737 |
| Pawnbrokers, duties of, to define and regulate..... | 733 |
| to define and regulate, and uniform rate of interest, | |
| fixing | 753, 888 |
| rate of interest to be charged by, regulating..... | 477 |
| Pedestrians, women as, exhibition of, to prevent..... | 520, 1491 |
| Peekskill village, water for, to supply..... | 1368, 1628 |
| Pennsylvania and New Jersey boundary line, settlement of, to | |
| provide for | 1314, 1638 |
| Penn Yan, charter of, to amend | 560 |
| Perjury, definition of crime, to extend, 112, 472, 683, 914, 1049, | 1173 |
| Personal property, title of, relating to...311, 687, 908, 1504, 1789, | 1874 |
| Petitions: | |
| appeals to the court of appeals, limitation of | 174 |
| apple barrels, dimension of | 663, 785, 910 |
| assessment laws, revision of | 342 |
| Auburn, street railroad in | 663 |
| biennial sessions..... | 663, 664 |

Petitions:

| | PAGE. |
|---|---------------|
| bodies, dead, transportation of..... | 342 |
| Brandon, A. T., relief of | 342 |
| Brockport, bridge over Erie canal in | 152 |
| Brooklyn, children's park in | 273, 380 |
| Clinton avenue, elevated railroad on | 785 |
| South ferry, increased accommodation on | 534 |
| taxes and assessments in | 534 |
| Buffalo, bridge across the Erie canal, for a | 534 |
| Erie basin at, enlargement of..... | 342 |
| Buffalo Plank Road Company, bill relating to | 470, 498 |
| Canajoharie Water Works Company, bill to amend charter of, | 662 |
| Cazenovia lake, steamboats on | 471 |
| charities, State board of..... | 380 |
| children's park..... | 911 |
| church property and property of ministers, taxation of, 342, | 345 |
| 422, 426, 485, 498, 663, 785, 910, | 1011 |
| cigars, manufacture of, in tenement houses...241, 292, 297, | 331 |
| 342, 346, 380, | 470 |
| convict labor | 663 |
| Cortland normal school..... | 152 |
| Cortland school law | 1638 |
| Cramer, George M., relief of | 273, 397 |
| deer near Lake George, driving and hunting of..... | 174 |
| Delhi and Middletown Turnpike Company, charter of..... | 523 |
| District of Columbia, local government for..... | 422 |
| excise laws, modification of ...331, 342, 346, 381, 405, 422, | 426 |
| 439, 470, 485, 523, 555, 663, 785, 910, | 911 |
| farmers' market, relating to | 62 |
| female prisoners and paupers, relating to.....62, 152, | 910 |
| Fifth New York Veteran Volunteers' Association, colors of, | |
| restoration of..... | 524 |
| First New York Volunteers, survivors of, compensation of.. | 115 |
| Fort Edward, bridge over canal at | 232 |
| freight, rates for transportation of.....470, 523, 534, | 910 |
| game law, modification of..... | 485 |
| garden produce, sale of..... | 380 |
| Goshen, poor of, relief of | 523 |
| Great South bay, inlet from..... | 152 |
| Harlem and New York Central railroads, fare on..... | 309 |
| Hell Gate pilots, fees of | 152, 664 |
| Hudson, charter of..... | 663 |
| insurance companies, fire, bill relating to | 1011 |
| insurance policy, amount to be paid upon, for a law regulat- | |
| ing | 664 |
| Laws of 1868, chapter 339 of | 380 |
| license question, women to vote upon | 380 |
| liquor law, prohibitory, for a | 346, 485, 663 |
| liquors, intoxicating, for an amendment to the Constitution | |
| against.....292, 380, 405, 470, 498, 523, 534, 554, 785, | 910 |
| Lockport, bridge over Erie canal in, for a..... | 62 |
| Long Island City, Riker avenue in | 152 |
| lunatic asylums, investigation of...232, 380, 422, 426, 439, | 498 |
| 524, 534, | 663 |

Petitions :

PAGE.

| | | |
|--|---|------|
| Meisner, Carl, relief of..... | 174, | 397 |
| Murray Hill reservoir, removal of..... | 331, 470, | 977 |
| New York and Harlem, fare on..... | 380, | 422 |
| New York Bible and Tract Mission, appropriation for..... | | 523 |
| New York city, assessments for local improvements, certain, bill relating to..... | | 1011 |
| common schools in, bill relating to..... | 534, | 663 |
| Fox estate in..... | | 498 |
| Hospital for Women..... | | 426 |
| licensed prostitution in, prevention of..... | | 534 |
| market stand for farmers, enlargement of..... | | 470 |
| port of, seamen in, protection of..... | 498, | 1011 |
| Produce Exchange in, new buildings for..... | | 485 |
| Whitehall street ferry, relating to..... | | 422 |
| New York Colored Mission..... | | 205 |
| New York, New Haven and Hartford, fares on..... | | 172 |
| official salaries, railroad discrimination, etc..... | 380, | 405 |
| Ogdensburgh and Lake Champlain Railroad Company, ex- cessive charges by..... | 498, | 664 |
| Ohio basin, dredging of..... | | 439 |
| Oneonta, armory in..... | | 380 |
| Onondaga Indians, treaty with..... | | 439 |
| personal property, taxation of, in reference to..... | | 380 |
| pilots' fees..... | | 226 |
| presidential electors, voters for..... | | 498 |
| railroad act, section 23 of, amendment of..... | | 205 |
| bonds, assessment and taxation of..... | 380, 405, 439, 471, 485, | 498 |
| | 534, 663, | 910 |
| committee, special, bills of..... | 485, 498, 523, 534, 554, 662, 785, | 845 |
| | 910, 1011, | 1058 |
| registry law, for a..... | | 534 |
| religious societies, incorporation of, relating to..... | | 59 |
| Robbins Reef, island on..... | | 152, |
| | | 189 |
| St. Regis reservation, highway through..... | | 63 |
| river, improvement of, appropriation for..... | | 524 |
| salt, foreign, reduction tolls on..... | 485, 524, 534, | 663 |
| Saratoga Monument Association..... | | 253 |
| savings banks, taxation of..... | 910, 977, | 1011 |
| schools, text-books in..... | 174, 205, 232, 240, 273, | 381 |
| school year, beginning of..... | 470, 498, | 524 |
| separate prisons, for female convicts..... | 128, 189, 226, 232, 240, | 273 |
| | 292, 297, 345, 422, 439, 470, 485, 498, 523, 534, 663, 785, | 845 |
| Soldiers and Sailors' Home..... | | 226 |
| soldiers of 1812, claims of..... | | 663 |
| State Board of Health..... | 205, 342, 381, 426, 534, 664, | 785 |
| Steuken county, prohibitory liquor law for..... | | 331 |
| suffrage, educational..... | | 663 |
| to women, constitutional amendment granting..... | 346, | 380 |
| Tompkins, town of, division of..... | | 115, |
| | | 128 |
| towage business, persons engaged in..... | | 426 |
| town auditors' act, relief from..... | | 380 |
| Utica, bridge over Erie canal in..... | | 50 |
| market in..... | | 785 |
| Supreme Court law library, appropriation for..... | | 62 |

| | PAGE. |
|---|-------------------------|
| Primary meetings and caucuses, act for protection of, to amend, 34, | 270 |
| Printing, resolution for : | |
| Adirondack survey, report of (concurrent)..... | 407, 519, 829 |
| Adjutant-General, report of (concurrent)..... | 55, 150, 471 |
| Assessors, report of (concurrent) | 235, 337, 350 |
| Astor library, report of (concurrent)..... | 108, 551 |
| Auditor, financial reports of (concurrent).. | 69, 86, 151, 1552, 1710 |
| Binghamton Asylum for Insane, report of (concurrent) . | 108, 685, 853 |
| Canal Appraisers, report of (concurrent)..... | 146, 378 |
| department, Auditor of, report of (concurrent).... | 164, 216 |
| canals, State Engineer and Surveyor on, report of (concurrent)..... | 521, 551, 619 |
| tolls, trade and tonnage, report on (concurrent)..... | 1552 |
| cattle commission of 1879, report of (concurrent).. | 797, 853, 950 |
| "Centennial Celebrations of the State of New York" (concurrent)..... | 177, 215 |
| Charities, State Board of, investigating committee of, report (concurrent)..... | 1515 |
| report of (concurrent)..... | 417, 516 |
| church memorial (concurrent)..... | 1501 |
| Civil List, new (concurrent)..... | 1237, 1302, 1303, 1516 |
| committees of the Assembly, list of, extra copies of (concurrent)..... | 202, 223 |
| Connecticut boundary line, commissioners to settle, report of (concurrent)..... | 681, 1045, 1516 |
| convict labor, Superintendent of State Prisons on, report of (concurrent)..... | 627, 737, 816 |
| criminal statistics, Secretary of State's report on... | 347, 516, 764 |
| Deaf Mutes, Central New York Institution for, report of (concurrent)..... | 201, 298, 471 |
| New York institution for improved instruction of, report of (concurrent)..... | 302, 378, 428 |
| Eclectic Medical Society, report of (concurrent)..... | 537 |
| Elmira Reformatory, report of (concurrent)..... | 302, 379 |
| Engineer and Surveyor, report of (concurrent).... | 398, 517, 764 |
| Fishery Commission, report of (concurrent)..... | 686, 853, 950 |
| Governor, annual message of (concurrent)..... | 24, 25, 108, 119 |
| Homœopathic Medical Society, report of (concurrent) .. | 428, 517, 785 |
| Hudson River Hospital, report of (concurrent)..... | 145, 378 |
| Idiots, New York Asylum for, report of (concurrent)... | 153, 221, 302 |
| Insane, State Homœopathic Asylum for (concurrent), | 276, 298, 471 |
| Instruction, Superintendent of, report of (concurrent) .. | 241, 331, 515, 619 |
| Insurance Department, Superintendent of, report of (concurrent)..... | 1392, 1424, 1710 |
| library, State, trustees of, report of (concurrent) .. | 417, 516, 619 |
| Museum of Natural History, report of (concurrent) .. | 894, 1429, 1515, 1638 |
| New York and Pennsylvania boundary line, report on (concurrent)..... | 1315 |

| | PAGE. |
|---|--------------------------------|
| Printing, resolution for: | |
| New York city laws (concurrent)..... | 1237, 1426 |
| New York State Soldiers and Sailors' Home, report of (concurrent)..... | 108, 517 |
| Niagara Falls, scenery of, preservation of, report as to, 715, | 1046 |
| Onondaga salt springs, report of superintendent of (concurrent)..... | 153, 221, 302 |
| pauperism, statistics of, Secretary of State's report on..... | 347 |
| prisons, State, superintendent of, report of (concurrent), 377, | 736 |
| public works, superintendent of, report of (concurrent)..... | 407 |
| 516, | 764 |
| quarantine, commissioners of, report of (concurrent), 542, | 551 |
| railroads, special committee on, report of..... | 164, 177 |
| State Engineer and Surveyor on, report of (concurrent), | 476 |
| 518, | 619 |
| Regents of the University, report of (concurrent)..... | 840, 1046 |
| street cleaning in cities, report as to (concurrent)..... | 1081, 1122 |
| Utica State Lunatic Asylum, report of (concurrent)..... | 343, 378 |
| Willard Asylum, report of (concurrent)..... | 108 |
| Prisoners, discharged, act authorizing payment of certain sums of money to, to amend..... | 489 |
| Prisons and jails, better government and discipline of, to provide for..... | 488, 530 |
| Prisons, county and State, act for the regulation of, to amend.. | 35 |
| Processions and parades, act regulating, to amend..... | 165, 175, 210 |
| 248, | 355 |
| Property, and private rights, relating to..... | 70 |
| assessment and taxation of. (See Taxation.) | |
| certain, from execution on a judgment rendered by a court not of record, to exempt..... | 29 |
| conveyance of, between husband and wife, allowing.... | 131, 175 |
| 916, | 1178 |
| rates for transportation of, to equalize..... | 57, 113 |
| Protestant Episcopal Church, law amending religious incorporation act as far as relates to, to amend..... | 183, 602 |
| Protestant Infant Asylum. (See Asylum.) | |
| Public buildings and works, mechanics employed upon, to secure payment of..... | 34 |
| conveyances. (See Conveyances.) | |
| education. (See Education.) | |
| instruction. (See Instruction.) | |
| roads, act amending Revised Statutes relating to, to amend, | 40 |
| 74, 110, 123, 133, 1531, 1627, 1646, 1656, 1862, | 1877 |
| schools, bequests for benefit of, allowing cities, towns, etc., to receive..... | 127 |
| works, superintendent of, powers and duties of, to define... | 821 |
| 886, 1288, 1554, | 1714 |
| Putnam union free school district No. 10, sale of real estate by, to authorize..... | 493, 542 |
| Q. | |
| Queens County Agricultural Society, act confirming conveyance of certain lands to, to amend..... | 147, 502, 583, 920, 1084, 1182 |
| Queens county, certain towns of, sales of land in, for taxes, relating to..... | 219, 485, 582, 623, 693, 777 |

| | PAGE. |
|--|-------|
| Queens county, highway labor in, law relating to, to amend, 983, | 1145 |
| 1341, 1390, 1637, 1741, | 1759 |
| office of supervisor in, term of, relating to....84, 334, 397, | 467 |
| Question of privilege, Mr. Gwinup rose to a..... | 407 |
| Mr. Skinner rose to a..... | 477 |
| Mr. Tozier rose to a..... | 352 |

R.

Railroads :

| | |
|--|------|
| act for incorporation of, amending..... | 34 |
| amending.....820, 1007, 1133, 1507, | 1799 |
| amending..... | 1434 |
| chapter 907, Laws of 1869, amending, to repeal, 548, 712, | 924 |
| section 3 of act of 1864, amending, to amend.....660, | 1513 |
| 1749, | 1829 |
| sections 9 and 28 of, to amend..75, 366, 367, 391, 437, | 879 |
| section 23 of, to amend..... | 239 |
| to amend.....75, 366, 367, 391, 440, | 1787 |
| to amend.....240, 288, 780, 821, 854, 960, | 1875 |
| to amend.....609, | 690 |
| Attica and Arcade, relief of.....1120, 1474, | 1671 |
| bonds, taxation of, by towns or cities for which issued, re- | |
| lating to.....267, 268, | 406 |
| taxation of, to provide for..... | 607 |
| Brooklyn elevated, right to lay rails in certain localities, re- | |
| stricting..... | 1428 |
| car manufacturers, tracks, certain, to build and maintain.. | 913 |
| cars and engines, trespassing on, to prevent, 125, 290, 465, | 624 |
| 693, 768, 1250, 1366, 1437, 1519, | 1709 |
| Central City, charter of, to extend, 36, 113, 167, 181, 185, | 267 |
| 343, 352, | 365 |
| certain, consolidation of, act authorizing, to amend, 75, 309, | 323 |
| 361, | 550 |
| fare on, rates of, relating to....1044, 1081, 1324, 1668, | 1825 |
| commissioner, office of, to abolish....885, 954, 1593, 1595, | 1753 |
| commissioners, board of, to create, 75, 367, 426, 690, 752, | 859 |
| 860, | 878 |
| construction of, act of 1875 further to provide for, repeal- | |
| ing..... | 1475 |
| elevated, construction of, for damages caused by, property | |
| owners to compensate.....64, | 113 |
| in New York, fare on, to regulate. (See New York.) | |
| Fonda, Johnstown and Gloversville, to purchase certain road | |
| and franchise..... | 862 |
| freight rates charged by, discrimination in, to prevent..... | 1116 |
| in cities and villages, relating to.....227, | 288 |
| in the State of New York, relating to.....49, 220, | 221 |
| Lansingburgh and Cohoes Company, relating to..... | 418 |
| leases by, relating to.....354, 507, 547, 585, 618, 729, | 738 |
| relating to.....1523, 1557, 1656, | 1704 |
| New York and New Haven, act authorizing, to extend road, | |
| to amend.....59, 230, | 555 |
| New York and Oswego Midland Company, board of directors | |
| of, for election of.....546, 690, 804, 828, | 947 |

Railroads:

| | PAGE. |
|--|--|
| New York, Kingston and Syracuse, act extending, section 3 of, to repeal | 90, 230, 584, 720, 784, 936, 1709 |
| New York and Northern, charter of, amending, 820, 884, 1105, 1106, | 1083, 1708 |
| Ogdensburgh and Lake Champlain Company, issue of bonds by, to authorize | 84, 335, 522 |
| Penn Yan and New York, time for construction of, to extend | 508, 1081, 1083, 1095, 1110 |
| Prospect Park and Flatbush Company, relative to | 89 |
| relating to | 895, 1007, 1513 |
| reorganization of, and sale of franchises, act relating to, amending | 1434 |
| plans for carrying out, to facilitate, 371, 501, 550, 582, 645, 690, 828, 986, | 626, 1039 |
| Rochester and Lake Ontario, in relation to, 676, 884, 911, 1169, | 1049, 1366 |
| Rondout and Oswego, act for extension of, to repeal, 90, 584, 843, 862, 1067, | 230, 1708 |
| sale of books, papers and other commodities on cars, to regulate | 895 |
| Southern Central, stock of, sale of, by divers towns, to authorize | 494, 501, 583, 835, 968, 972, 1245, 1436 |
| stockholders of, voting by, to regulate, 75, 309, 313, 357, 1584, 1667, | 1114, 1875 |
| stock, issuing after foreclosure, in certain cases | 103, 114, 155 |
| sale of, by certain towns. (See Stocks in Railroad Companies.) | |
| street, in cities, relating to | 543 |
| in relation to | 665, 883, 1438, 1640 |
| passengers on, carrying of, to regulate | 218, 288 |
| travelers on, to protect | 1552 |
| tracks, certain, manufacturing companies to lay, authorizing | 1007, 1286 |
| transportation of freight by, to regulate, 75, 367, 426, 579, 752, 848, 857, 969, 1087, 1751, | 690, 1870 |
| Rainfall, in forests, to preserve | 484, 528 |
| Raritan bay, and North river, deposit of carrion in. (See North River.) | |
| site for light-house in, to cede to United States, 56, 133, 186, 256, | 207, 542 |
| Real estate, belonging to idiots and lunatics, sale of, relating to, 851, 984, 1125, 1341, 1372, | 819, 1690 |
| (See Margaret Noonan.) | |
| title of resident aliens to. (See Aliens.) | |
| Receivers of insolvent corporations, relating to, 128, 174, 248, 282, 1761, | 352, 1876 |
| Rachabites, National Order of, National Tent of, to incorporate, 289, 466, 719, 779, 952, | 84, 1637 |
| Record of conveyances. (See Conveyances.) | |
| Red House Driving Park Agricultural Society, to incorporate, 886, 913, 1214, 1219, | 470, 1638 |
| Referees, and receivers, appointment of, to regulate, 548, 1121, 1506, | 1438, 1509 |
| appointment of, in certain cases, to regulate | 57 |

| | PAGE. |
|---|------------------------------|
| Reformatory institutions, inmates of, freedom of worship, to have, | 1142 |
| | 1301 |
| Relief, actions for, in certain cases. (See Actions.) | |
| societies. (See Societies.) | |
| Religious meetings. (See Meetings.) | |
| Religious societies, act supplementary to act for incorporation | |
| of, section 3 of, to amend, 48, 170, 237, 259, 322, 859, | 894 |
| 925, 990, | 1042 |
| section 4 of, to amend..... | 1054, 1123, 1335, 1503, 1782 |
| incorporation of, relating to..... | 28, 29, 379, 405 |
| Rensselaer county, town officers in, number of, to reduce, 71, 336, | 467 |
| | 570, 588, 636, 1366 |
| Reporters of the Assembly. (See Assembly.) | |
| Reports : | |
| acoustics of the Assembly chamber, special committee on.... | 27 |
| Adjutant-General..... | 37 |
| (See Printing.) | |
| Agricultural Society..... | 449 |
| Albany State Normal School | 429 |
| animals, infectious and contagious diseases among, State | |
| agent for suppression of..... | 55 |
| Audit, State Board of..... | 26 |
| (See Printing.) | |
| Bank Department..... | 38 |
| Superintendent of..... | 579 |
| Blind, New York Institute for..... | 32 |
| State Institute for..... | 32 |
| Brooklyn Institute..... | 332 |
| Canal Department, Auditor of, financial..... | 32 |
| (See Printing.) | |
| canals, State Engineer and Surveyor on..... | 477, 521 |
| (See Printing.) | |
| trade, tolls, tonnage on | 487 |
| (See Printing.) | |
| Children's Aid Society..... | 57 |
| companies navigating lakes and rivers..... | 226 |
| Comptroller | 27 |
| Connecticut boundary line, commissioners to settle..... | 211, 407 |
| (See Printing.) | |
| convict labor, Superintendent of State Prisons on | 587 |
| (See Printing.) | |
| Cooper Union, trustees of..... | 83 |
| Criminal Statistics, Report of Secretary of State on..... | 120 |
| (See Printing.) | |
| Deaf and Dumb, New York Institution for..... | 48 |
| Deaf Mutes, Central New York Institute for..... | 32 |
| (See Printing.) | |
| New York Institution for the Improved Instruction of | 38 |
| (See Printing.) | |
| St. Joseph's Institute for..... | 52 |
| St. Mary's Institute for | 32 |
| Western New York, Institution for..... | 52 |
| Eclectic Medical Society..... | 120 |
| (See Printing.) | |

| Reports: | PAGE. |
|---|-----------|
| Elmira State Reformatory..... | 52 |
| (See Printing.) | |
| Emigration, Commissioners of..... | 32 |
| Engineer and Surveyor..... | 379 |
| (See Printing.) | |
| German American Bank, balances unclaimed in..... | 62 |
| Hebrew Sheltering Guardian Society of New York..... | 94 |
| Homeopathic Medical Society..... | 379 |
| (See Printing.) | |
| Idiots, New York Asylum for..... | 48 |
| (See Printing.) | |
| Insane Convicts, Asylum for, Superintendent of (concurrent) | 1730 |
| Insane, State Asylum for, at Middletown..... | 32 |
| Insurance Department..... | 253 |
| (See Printing.) | |
| Juvenile Delinquents, Society for Reformation of..... | 32 |
| Museum of Natural History..... | 894 |
| (See Printing.) | |
| New Capitol Commissioners..... | 27 |
| New York Catholic Protectory..... | 109 |
| New York city, special laws affecting, commission to revise, report of. (See Printing.) | 1237 |
| Captain of the Port..... | 83 |
| Hospital and Bloomingdale Asylum..... | 735 |
| Infant Asylum..... | 83 |
| Onondaga Salt Springs, Superintendent of..... | 82 |
| (See Printing.) | |
| Oswego city library..... | 38 |
| Pardons granted by Governor..... | 32 |
| Peconic and Shinnecock bays, canal between, State Engineer on..... | 770 |
| Pennsylvania boundary line, Regents of the University on. (See Printing.) | 675 |
| Pilots, board of commissioners of..... | 57 |
| Plattsburgh and Dannemora Railroad, leasing of, committee to investigate..... | 715 |
| Poor and poor-houses, committee on general laws on..... | 226 |
| Poppenhausen Institute..... | 675 |
| Port of New York, captain of..... | 83 |
| Public Instruction, Superintendent of..... | 27 |
| (See Printing.) | |
| Public Works, Superintendent of..... | 342 |
| (See Printing.) | |
| Railroads, special committee on..... | 354 |
| special committee on (minority)..... | 256 |
| special committee on..... | 75 |
| (See Printing.) | |
| Sailors' Snug Harbor..... | 488 |
| Savings Banks, Superintendent of..... | 778 |
| State Prisons, Superintendent of..... | 32 |
| (See Printing.) | |
| Street Cleaning, report on..... | 351, 1346 |
| (See Printing.) | |

| Reports: | PAGE. |
|---|--------------------|
| Sub-committee of the Whole.. 520, 618, 700, 794, 804, 853, | 861 |
| 892, 940, 1067, 1096, 1155, 1234, 1316, 1417, 1599, | 1649 |
| Wadsworth Library, trustees of..... | 82 |
| Resolutions: | |
| Assembly, adjournment of..... | 304, 307, 337, 404 |
| chamber, acoustics of, relating to, 241, 275, 427, 438, 541, | 715 |
| chairs inside the railing of, to provide..... | 129 |
| use of, to citizens of Albany, to grant..... | 129, 225 |
| use of, to Homoeopathic Medical Society, to grant.. | 129 |
| daily sessions of, when to close..... | 118 |
| days of session, what to be..... | 1306 |
| evening sessions of, relating to | 556 |
| morning sessions of..... | 794 |
| rule 4, change of, committee on rules to report concerning, | 557 |
| sessions of, hour for beginning, to fix..... | 25 |
| three per day..... | 1472 |
| twice a day, to hold..... | 685 |
| assessments and taxation, special committee on, stenographer | |
| of..... | 770 |
| canals, expenditures on, since October, 1879, Canal Auditor | |
| to report..... | 90, 126 |
| repairs on, State Engineer and Surveyor to report rela- | |
| tive to..... | 73 |
| capitol, kiln-drying lumber in, to be deprecated..... | 1010 |
| chairs for members, superintendent of the capitol to furnish. | 327 |
| 341, | 502 |
| Chenango canal extension, purchase of banks of, Superin- | |
| tendent of Public Works to report as to..... | 188, 197, 232 |
| committees of the Assembly, membership of, to increase.... | 31 |
| committee on affairs of cities to hold sessions in New York | |
| and other cities..... | 85, 86, 123, 153 |
| on affairs of villages, to visit Oneonta, Baldwinsville and | |
| other villages..... | 125 |
| concurrent resolutions of 1879, list of papers publishing, Sec- | |
| retary of State to report..... | 92, 115 |
| convict-labor contract system, abolition of, for a committee | |
| to prepare a bill for..... | 115 |
| court of claims, judiciary committee to report a bill estab- | |
| lishing..... | 898, 1116, 1430 |
| Cypress Hill Cemetery Association, affairs of, investigation | |
| of..... | 1811-12, 1850 |
| excise laws, amendment of, bill for, committee on internal | |
| affairs to report..... | 421, 447 |
| Genesee Valley canal, feeders of, retention of, Engineer and | |
| Surveyor to report as to..... | 521 |
| grain speculation, judiciary committee to report remedy for. | 117 |
| insurance companies, illegal expenditures by, certain alleged, | |
| special committee to investigate..... | 532 |
| life, certain correspondence with, Superintendent to fur- | |
| nish..... | 1014, 1048 |
| receivers of, and their accounts, committee on insurance | |
| to report concerning..... | 684, 735, 1225 |
| sums paid for examination of, under direction of Super- | |
| intendent of Insurance, committee to report. 683, 735, | 1225 |

Resolutions:

| | PAGE. |
|--|-----------------------------|
| Knickerbocker Life Insurance Company, to report as to claims paid..... | 81, 179 |
| manufacturing law and law for formation of business corporations, companies formed under, Secretary of State to report, New York and Long Island Bridge Company, as to capital stock, to report..... | 340 |
| New York city, and State, boundary line of, encroachments on, Secretary of State to report as to..... | 350 |
| armories in, question of, committee to investigate..... | 338, 438 |
| benevolent and charitable associations in, appropriations for, comptroller of the city to report as to..... | 883 |
| charitable institutions, appropriations for, State Board of Charities to examine and report as to..... | 682 |
| gas companies, relating to..... | 807, 887 |
| health officer, fees and emoluments, commerce committee to report concerning..... | 1012 |
| Metropolitan elevated railroad in, night trains on, relating to..... | 898 |
| port of, harbor master's office, alleged abuses in..... | 202 |
| protection of life in, from fire, measures needful for, fire commissioners to report..... | 1093 |
| schools of, visits of school commissioners to, clerk of board of education to report.. | 164, 1163 |
| Society for the Prevention of Crime in, transactions of, police commissioners to report..... | 188, 201, 304 |
| street cleaning in, relating to..... | 188, 202 |
| (See Printing.) | 351, 977 |
| New York county, referees and receivers in, clerk to report. | 50 |
| | 102, 182 |
| Olcott, Thomas W., in memory of | 603 |
| Parshall, DeWitt, in memory of..... | 1471 |
| Plattsburgh and Dannemora railroad committee, Attorney-General to attend sessions of..... | 241, 260 |
| Attorney-General to show authority for appearing by counsel before..... | 404, 424 |
| railroad, lease of, for a special committee on.. | 51, 54, 55, 57 |
| | 81, 233, 241, 260, 406, 715 |
| printing, legislative, contract for, with O. Van Benthuyssen during 1878 and 1879, Comptroller to furnish copy of, | 73 |
| | 102 |
| current contract for, Comptroller to transmit copy of, 51, | 63 |
| railroad bonds, taxation of, where issued, bill for, special committee on taxes to report..... | 606, 681 |
| companies, income of, Engineer and Comptroller to examine and report as to..... | 486, 540, 1323 |
| law, section 33 of, repeal of portion of, committee on railroads to report bill for..... | 446, 486 |
| receivers of insolvent corporations, information elicited as to, Attorney-General to furnish..... | 403 |
| registry law, committee on judiciary to report a.. | 152, 306, 485 |
| repair appropriation, amount of money paid from, since October, 1879, Auditor of Canal Department to report.. | 102, 123 |
| reporters for the press, journals and documents for, sergeant-at-arms to furnish..... | 256 |

| Resolutions: | PAGE. |
|---|-----------------------|
| Robbins, Levi, congratulations to | 1135 |
| Sanford, Chas. F., removal of, judiciary committee to report concerning.....50, | 51 |
| savings banks, illegal expenditures by, Superintendent of Bank Department to report..... | 340 |
| South and Hamilton ferries, measures of relief as to, committee on commerce to report.....129, | 178 |
| State tax, county treasurers retaining percentage upon, Comptroller to report.....341, | 426 |
| sub-committee of the whole, reference of bills to.....424, | 545 |
| (See Reports.) | |
| superintendent of wrapping department, charges against, committee to investigate.....881, 894, 902, 919, 970, | 1048 |
| Universal Life Insurance Company, report of, and financial condition.....794, | 819 |
| Resolutions, clerk: | |
| Assembly journal, to place on files..... | 1554 |
| Attorney-General's opinion on taxation of savings bank deposits, to send assessors..... | 1557 |
| chairs, revolving, to substitute..... | 619 |
| clergymen to open daily sessions with prayer, to invite | 12 |
| Clerk's and Croswell's Manual, to prepare..... | 1878 |
| Dannemora railroad, testimony concerning, to have printed, file-boards, another set of, to procure..... | 1265 |
| papers and documents, for the transmission of, to make usual contracts..... | 394 |
| | 11 |
| Resolutions, concurrent: | |
| amendments, printing of..... | 179 |
| Army of the Potomac, meeting of society of, committee to represent the Legislature at..... | 1809 |
| Brownell, Frank E., property of, relating to.....200, | 223 |
| Canada and United States, commercial relations of, relating to | 153 |
| canals, toll-sheet for 1880.....610, 665, | 878 |
| Congressional proceedings, printing and distribution of.... | 897 |
| Constitution, article 2, section 1, to amend.....1368, | 1491 |
| article 6 of, to amend | 417, |
| article 6, to amend | 1289, 1431, 1634, |
| article 6, section 12, to amend | 1288, 1490, |
| article 7 of, to amend | 90, 91, 92, 975, 984, |
| article 7 of, to amend..... | 863 |
| article 10, section 6, and article 3, sections 2, 5 and 6, to amend.....92, 975, 984, | 1217 |
| Detroit river, bridge across, relating to | 31, 32, 62, |
| election laws, compilation of, for the.....1850, | 1868 |
| Erie and Oswego canals, enlargement of, aid from the United States for, relating to..... | 536 |
| great lakes, improvements affecting commerce of, relating to.....116, 202, | 471 |
| international exhibition in 1883, relating to | 561 |
| of 1883, relating to.....1429, | 1753 |
| Ireland, sufferers in, relief of | 274, |
| Kings and Queens counties, boundary between.....1761, | 1877 |

| | PAGE |
|--|---|
| Resolutions, concurrent: | |
| Legislature, adjournment of, relating to, 274, 297, 302, 303, | 597 |
| adjournment of, sine die..... | 520, 684, 1307 |
| adjournment, sine die, May 14..... | 1438 |
| adjournment, sine die, May 21..... | 1438, 1474, 1748, 1749 |
| adjournment of, May 26..... | 1310 |
| recess of, relating to..... | 31 |
| medal or badge for surviving New York soldiers of the Re- | |
| bellion..... | 85 |
| National bank notes, assumption of, by Government, etc.... | 555 |
| New Capitol, wages of employees on, to advance..... | 41, 117 |
| New York and Brooklyn bridge, condition of, engineers to | |
| examine..... | 116, 201 |
| New York, boundary line on west side North river, encroach- | |
| ments upon, relating to..... | 856 |
| New York city, board of estimate and apportionment of, | |
| constitutionality of..... | 421, 896 |
| harbor, fortifications of, relating to..... | 50, 55, 56, 57, 276 |
| of Maine Legislature, relative to pilotage through Hell Gate, | |
| Old Capitol, use of, by Albany county courts, to permit.... | 190 |
| paper, duty on, relating to..... | 274, 558 |
| People vs. Dennison et al., case of, Attorney-General to ap- | |
| ply for leave to withdraw appeal in..... | 681, 707 |
| pleuro-pneumonia, extermination of, relating to..... | 68, 69 |
| Smyth, John F., from office of Superintendent of Insurance, | |
| removal of..... | 421, 485 |
| Soldiers and Sailors' Home, at Bath, equipments to, issuing | |
| of..... | 871 |
| Superintendent of Public Instruction, for a joint conven- | |
| tion, to elect..... | 705, 751, 754 |
| Tarrytown, celebration at, committee to represent Legisla- | |
| ture at..... | 1812 |
| tax laws, revision of, for a special joint committee to con- | |
| sider..... | 115, 116, 152, 223, 233, 327, 365, 427, 770, 1045 |
| "third term," relating to..... | 275, 300, 407 |
| Revenue bonds. (See Comptroller.) | |
| Revised Statutes, chapter 5, title 2, part 2 of, to amend..... | 392, 453 |
| 722, 844, 918, 969, 1072, | 1747 |
| chapter 13, part 1, to amend..... | 1532 |
| chapter 13, part 1 of, to amend..... | 928, 1093-94, 1256, 1590 |
| chapter 14, title 1, section 24, clause 2 of, to amend.... | 146, 799 |
| chapter 16, article 5, title 1, part 1 of, act amending, to | |
| amend..... | 393, 394, 456, 581, 803, 980 |
| relative to assessments, to amend..... | 96, 125, 346 |
| to assessments, to amend..... | 677, 928, 1093, 1094 |
| to Board of Regents, amending..... | 1288, 1558, 1635, 1864 |
| to boards of inspectors, amending..... | 1238, 1431 |
| to canal commissioners, to amend...352, 395, 422, 423, | 428 |
| 487, 606, | 716 |
| to canals, to amend..... | 305, 308 |
| to certain corporations, from sections 5, 6 and 8, to ex- | |
| empt corporations. (See Corporations.) | |
| to distraining chattels, to amend..819, 950, 1133, 1318, | 1565 |
| | 1874 |

| Revised Statutes: | PAGE. |
|---|--|
| relative to divorces, to amend..... | 40 |
| to divorces, to amend..... | 60 |
| to drainage of swamps, to amend..... | 90, 214, 538 |
| to elections and ballots, to amend..... | 70, 113, 144, 348, 364, 375 |
| | 437, 1291, 1322, 1526, 1682 |
| to estates of idiots, lunatics, etc., disposition of, to amend, | 868 |
| | 1714 |
| to executive officers, to amend..... | 482, 530, 596 |
| to executors and administrators, power of, as to sales of | |
| real estate, act amending, to amend.... | 417, 531, 583, 921 |
| | 1185 |
| to hawkers and peddlers, to amend, 49, 120, 171, 181, 203, | 524 |
| to highways, to amend..... | 543 |
| to highways, to amend, 497, 601, 908, 1008, 1085, 1226, | 1468 |
| to indictments, removal of, to Supreme Court, to amend, | 269 |
| | 333, 467, 1125, 1312, 1491, 1586 |
| to justices' court, to amend..... | 762 |
| to justices of the peace, when material witnesses, to | |
| amend..... | 310 |
| to laying out public roads, to amend. (See Public Roads.) | |
| to limited divorces, to amend..... | 112, 597 |
| to medical societies, to amend..... | 482, 531 |
| to mortgagees, remedies of..... | 543, 800 |
| to partition of lands, to amend..... | 869 |
| to partition of lands, to amend..... | 608, 887 |
| to prisons, amending..... | 1475, 1702, 1713 |
| to sales by auctioneers, amending..... | 1239, 1437, 1511, 1707 |
| to summary proceedings for lands, to amend, 332, 391, | 1335 |
| | 1502, 1775 |
| to town meetings, to amend, 425, 852, 984, 1146, 1316, | 1396 |
| section 1, chapter 3, part 2 of, to amend..... | 344 |
| section 2, title 1, chapter 13, part 1 of, to amend, 503, 672, | 792 |
| | 793, 828, 955, 1703 |
| section 6, title 4, chapter 2, article 1, part 4 of, to amend, | 855 |
| | 859 |
| section 9, chapter 11, article 1, title 2, part 1 of, to amend* | |
| and supplement..... | 370, 399, 495, 512, 539, 628, 1454, 1709 |
| section 16, article 3, chapter 6, part 1 of, to amend, 393, | 405 |
| | 441, 1778 |
| section 27, article 2, title 2, chapter 1, part 4 of, to amend, | 548 |
| | 687, 983, 1145, 1241 1344, 1779 |
| section 66, title 9, chapter 20, to amend..... | 70 |
| section 68, chapter 5, title 4, part 1 of, to amend, 295, 399, | 477 |
| Rhinebeck, charter of, to amend, 425, 554, 723, 838, 862, 1014, | 1162 |
| | 1364, 1425, 1445 |
| Richmond county, and Franklin, clerk of, compensation of, es- | |
| tablishing..... | 1238 |
| clerk of, salary for, to provide..... | 712, 904, 981, 1158, 1250 |
| | 1289, 1628, 1731 |
| clerk of, certain papers, to record, 677, 798, 983, 1147, 1241, | 1404 |
| | 1529, 1709 |
| clerk of, salary for, to provide..... | 697 |
| police force in, relating to..... | 469, 617 |

| | PAGE |
|--|---|
| Richmond county, and Franklin: | |
| taxes, time for collection of, to extend, 609, 716, 779, 787, | 949 |
| 998, 1042, 1050, | 1150 |
| villages of, supply of water for, relating to, 230, 231, 297, | 307 |
| 322, 356, | 550 |
| Rivers, certain, improvement of, to authorize and facilitate log | |
| driving on | 868, 979, 1455, 1649 |
| used as highways, passage of lumber on, to regulate, 125, | 609 |
| 908, 1037, 1256, 1261, 1696, | 1778 |
| Road district, a, law relating to, amending..... | 1552 |
| Roads, and bridges, act of 1865, amending Revised Statutes rela- | |
| tive to, to amend..... | 49, 222, 465, 719, 778, 932, 1873 |
| public, from act amending Revised Statutes relative to, cer- | |
| tain towns, to exempt. (See Towns, certain.) | |
| Robbins, Levi, congratulations extended to..... | 1135 |
| Robbins' reef, island on, resolution of Chamber of Commerce | |
| concerning | 189 |
| (See New York.) | |
| Robb, William J., official acts of, to legalize, 331, 550, 723, 835, | 917 |
| 967, 1161, 1350, 1425, 1447, | 1637 |
| Robertson, W. H., elected President of the Senate..... | 110 |
| Rochester, charter of, to amend | 1009, 1080, 1423, 1581, 1709 |
| to consolidate and amend..... | 84, 85, 126, 133, 141, 242-247 |
| to consolidate with chapter 14, Laws of 1880.. | 450, 471, 481 |
| 488, 492, | 524 |
| Electro-Medical Institute, establishing..... | 1240, 1424, 1604 |
| Genesee river, feeder in, relating to, 864, 1048, 1090, 1105, | 1272 |
| 1468 | |
| New York Central Railroad in, relating to... 864, 982, 997, | 1011 |
| Rockland, county judge and surrogate of, compensation to estab- | |
| lish | 977, 1049, 1203, 1778 |
| Rockton, village of. (See Little Falls.) | |
| Rome, city of, Asylum for Deaf Mutes, relating to..... | 1288 |
| charter of, to amend..... | 49, 176, 513, 628, 696, 779, 782 |
| railroad stock, to sell | 1007, 1092, 1273 |
| Royal Arcanum, Grand Council of, to incorporate, 1078, 1123, | 1279 |
| 1332, | 1747 |
| subordinate councils of, certain powers, to have, 1078, 1123, | 1484 |
| Rule 4, change of | 557 |
| 72, part of, suspension of..... | 1699 |
| Rules of last Assembly, adopted..... | 10 |
| Ryan, Mary. (See Aliens.) | |
| S. | |
| Sacandaga river to Mount Pleasant, highway from, repair of, 449, | 602 |
| 729 | |
| Sag Harbor, charter of, to amend..... | 148, 176, 233, 236, 266 |
| school districts in, certain act relating to, amending, 1009, | 1085 |
| 1231 | |
| St. John, Daniel F., acts of, to legalize..... | 867, 1021, 1171, 1372 |
| St. Regis river, improvement of, for the..... | 489, 1104 |
| Salt, manufacture and inspection of, concerning.. | 344, 376, 468, 693 |
| 746, | 859 |
| Saratoga county, from provisions of ch. 733, Laws of 1872, to | |
| exempt..... | 227, 851, 984, 1126, 1241, 1313, 1527, 1709 |

| | PAGE. |
|--|------------------|
| Saratoga Springs, town of and village, sale of lands in, for taxes, to authorize..29, 115, 190, 207, 283, 396, 439, 461, 491, | 498 |
| bonded indebtedness of, relating to.....578, 600, 724, | 919 |
| supervisors of, relating to..469, 551, 723, 839, 862, 1016, | 1058 |
| village of, charter of, amending..806, 822, 915, 917, 1049, | 1175 |
| | 1365 |
| fire department of, hose for, purchase of.....865, | 879 |
| village of, relating to.....1550, | 1629 |
| Union free school act of, to amend.....286, 389, | 415 |
| Saugerties, overseer of poor of, relating to..431, 852, 1148, 1317, | 1342 |
| | 1541 |
| town clerk and commissioner of highways in, salary of, fixing.....431, 885, 984, 1124, 1279, 1292, | 1708 |
| Savings banks, act conforming charters of, amending....1240, | 1406 |
| act conforming charters of, to amend.....173, | 375 |
| depositors in, for the better security of233, | 1301 |
| general law for, to amend.....495, 505, 577, 590, 707, | 859 |
| taxation of, for the.....490, 854, 969, 1047, | 1279 |
| Savings, societies to promote, for incorporating..... | 39 |
| Schenectady, city building in, relating to..... | 677 |
| School districts, certain, election of officers in, act relating to, to amend..... | 77 |
| certain, election of officers, act of 1879 relating to, section 2 of, to amend..96, 177, 464, 717, 854, 893, | 1468 |
| | 1555, 1620, 1709 |
| Union free, dissolution of, to provide for..268, 297, 537, | 720 |
| | 778, 934, 1161 |
| lots, leasing of. (See Gospel and School Lots.) | |
| moneys apportioned to counties, payment of, regulating..295, | 334 |
| | 348, 918 |
| officers, eligibility of women as, and voting by women for, relating to238, 239, 256, | 258 |
| offices, discrimination in, as to sex, to forbid..36, 121, 172, | 181 |
| | 210, 212 |
| Schools, bequests for benefit of. (See Public Schools.) | |
| normal. (See Normal Schools.) | |
| text-books in, act to prevent frequent changes of, to amend. | 732 |
| text-books in, frequent change of, to prevent.....119, | 177 |
| Scipio, to provisions of town auditor act, to subject..182, 207, 234, | 483 |
| Seats, contested. (See Contested Seats.) | |
| drawing of.....11, 25, | 26 |
| Senate, and Assembly, employees of, act of 1879, relating to, to amend..222, 228, 231, 348, 381, 382, 424, 495, 506, 652, | 659 |
| organization of, announced to Assembly..... | 11 |
| president of, <i>pro tem.</i> , W. H. Robertson, elected..... | 110 |
| Seneca and Monroe counties, treasurers of. (See Monroe and Seneca.) | |
| Seneca Falls, charter of, section 1 of, to amend.. | 452 |
| Seneca Indians, officers of, bribery of, to prevent....66, 200, 464, | 571 |
| | 589, 642, 1161 |
| Sennett, sale of certain lands in. (See Pine Ridge Cemetery Asso- ciation.) | |
| Session Laws, publication of, section 3 of act relating to, amend- ing.... | 805 |

| | PAGE. |
|---|--------------------------------------|
| Severance, Hugh M., treasurer to deliver two certificates to..... | 111, 600 |
| Sewers, construction of, to aid in..... | 846 |
| Shelter for Homeless Women, commitment of female misdemean- ants to, to authorize..... | 145, 221 |
| Sheriffs, uniform fees for, providing..... | 1054 |
| uniform fees for, to provide..... | 1045 |
| Shinn, Ann Margaret, estate of, to Philadelphia Eye and Ear In- firm, releasing..... | 895 |
| (See Aliens.) | |
| Sing Sing, charter, to amend and consolidate.... | 662, 698, 699, 885 |
| 1091, 1279, 1292, 1637 | |
| Sinking fund, deficiency in, to provide for.... | 119, 149, 402, 912, 1168 |
| Skaneateles, trustees of, title of certain lands in, to perfect.... | 147, 336 |
| Smith, Nathaniel C., relief of..... | 608 |
| Societies, benevolent, charitable, etc. (See Benevolent Societies.) | |
| for social purposes. (See Clubs.) | |
| Mutual Relief, for incorporation of..... | 59, 72, 129 |
| religious. (See Religious Societies.) | |
| Soldiers and Sailors' Home, inmates of, sale of liquor to, to pre- vent..... | 817, 980, 1219, 1398 |
| Soldiers of the war of 1812, unadjusted claims of, act relating to, repealing..... | 912 |
| Somerset, town of, relief of..... | 608, 828, 830, 1435 |
| Southampton, town of, landing places in, relating to.... | 820, 1301, 1512 |
| Speaker of Assembly, address of..... | 7, 8, 1879 |
| George H. Sharpe elected..... | 6, 7 |
| Special proceedings, relating to..... | 1079 |
| Sessions, jurisdiction of, extending..... | 987, 1080 |
| Spink, Jonathan O., acts of, to legalize.... | 300, 473, 583, 1123, 1275 |
| | 1398 |
| Spuyten Duyvil creek. (See Harlem River.) | |
| State Board of Charities. (See Charities.) | |
| canvass. (See Canvass.) | |
| Charities Aid Association, to incorporate.... | 449, 502, 583, 919 |
| | 1049, 1225 |
| Commissioner in Lunacy, fitness of, to investigate. (See In- sane Asylums.) | |
| Medical Society granted use of Assembly chamber..... | 102 |
| Staten Island, waters south of, clams and oysters in, relative to taking..... | 306, 401, 580, 922, 1085, 1193, 1778 |
| State prisons, and penitentiaries, employment of convicts in, relat- ing to. (See Convicts.) | |
| Superintendent of, act of 1879 relating to, to amend..... | 171 |
| Superintendent of, law relative to, to amend.... | 331, 553, 824, 863 |
| | 999, 1687, 1857 |
| (See Prisons.) | |
| States, other, claims of citizens against, relating to..... | 527, 799 |
| claims of citizens against, to protect.... | 508, 530, 609, 764, 824 |
| | 919, 1181 |
| Statistics of Labor. (See Labor.) | |
| Steam boilers, companies insuring, relating to.... | 513, 583, 840, 862 |
| | 1018, 1665, 1779 |
| Steam, corporations for distributing, to protect.... | 660, 798, 953, 996 |
| | 1125, 1300, 1313, 1337 |

| | PAGE. |
|--|--|
| Stemmler, Babetta, relief of, for the, 895, 1006, 1043, 1124, 1241, | 1278 |
| | 1873 |
| Stenographers in courts of the sixth district, relating to.... | 131, 334 |
| Steuben county, intoxicating liquors in, sale of, relating to.... | 219 |
| unpaid taxes in, sale of lands for, relating to.. | 196, 269, 465, 576 |
| | 590, 706 |
| Stewart, Julia E., land to, to release. (See Aliens.) | |
| Stockholders, in railroad and plank-road companies, payments on | |
| mortgages in foreclosure, may make..... | 1240 |
| whose certificates of stock have been destroyed, act for relief | |
| of, to amend.... | 167, 335, 558, 844, 969, 1071 |
| to amend..... | 268, 304, 546, 921, 1085, 1188 |
| Stock, in railroad companies, sale of, by certain towns, to authorize, | 126 |
| | 133, 142, 172, 224, 233, 237, 263 |
| preferred, exchange of, for common, to authorize | 302, 454, 924, 1197 |
| Stony Point, town of, commissioner of highways in, relating to, | 174 |
| | 247, 393, 406, 413, 480 |
| overseer of the poor in, relating to.. | 174, 247, 393, 406, 414 |
| | 480 |
| Stork, Henry, acts of, to legalize..... | 222, 499, 582, 624, 693, 765 |
| Suffolk county, Great South bay in, ferry across, to establish.... | 312 |
| | 395, 578, 716, 779, 788, 931, 1875 |
| parts of, navigation of, to improve | 253 |
| Suffrage, in towns, citizens entitled to right of, to ascertain | 40 |
| persons entitled to, in certain cities and towns, to ascertain, | 344 |
| | 529, 699, 759, 854, 942, 1752, 1876 |
| persons entitled to right, to ascertain. (See Election Law.) | |
| Sugar and syrup, adulteration of, to prevent | 1120 |
| Suits, by and against joint-stock companies. (See Joint-Stock | |
| Companies.) | |
| or actions, certain, revival of, to provide for..... | 303, 1560 |
| Sullivan county and Delaware, court crier of, to abolish..... | 1006 |
| Sullivan county, deer in, to preserve..... | 53, 913 |
| from provisions of the Revised Statutes relating to court | |
| criers, to exempt..... | 240 |
| from the provisions of the Revised Statutes relating to poor- | |
| house keepers, to exempt..... | 350, 798, 1436, 1640 |
| town officers in, act reducing pay of, to repeal.. | 40, 271, 465, 1319 |
| | 1342, 1570, 1748 |
| Summary proceedings for lands. (See Lands.) | |
| Supervisors, boards of, act conferring further powers of legisla- | |
| tion upon, to amend, 36, 120, 247, 465, 577, 590, 725, | 744 |
| | 1379, 1429, 1442 |
| to amend | 38, 598, 723, 837, 862, 1002, 1304, 1552 |
| to amend..... | 52, 271, 272 |
| to amend..... | 332, 454 |
| to amend | 340, 452, 722, 907 |
| to amend.... | 343, 401, 487, 691, 1120, 1301, 1341, 1392, 1412 |
| to amend | 393, 479, 983, 1504, 1786, 1874 |
| to amend..... | 469, 734, 761 |
| to amend..... | 733, 795 |
| to amend..... | 805, 852 |
| to amend..... | 1239, 1424, 1604 |

| | PAGE- |
|--|--|
| Supervisors, boards of, act conferring further powers of legislation upon, to amend..... | 1240, 1301 |
| to amend | 662, 734, 903, 981, 1156 |
| additional powers in, to vest | 452, 712, 983, 1147, 1342, 1401 |
| fiscal year in counties, to regulate..... | 62, 85, 130 |
| Supervisors, power of, in authorizing town officers to borrow money, to limit..... | 58, 59, 113, 364 |
| Supply bill. (See Government, Expenses of, etc.) | |
| Supreme court, third district, compensation justices, to increase, | 1686 |
| Sureties of trustees. (See Trustees, Sureties of.) | |
| Surgeons, licensing-of. (See Physicians.) | |
| Surrogate courts, notices and citations in, publication of, relating to | 50, 499, 680 |
| Syracuse, city of, cemetery for, relating to..... | 233, 271, 349 |
| charter of, act amending, relative to repaving streets, to amend..... | 448, 499, 865, 969, 1106, 1267 |
| charter of, to amend..... | 293 |
| sewerage in, act relating to, amending..... | 865, 982, 1107, 1267 |
| Syracuse Electric Light Company, to incorporate..... | 664, 734, 1630 |
| T. | |
| Tare on baled hay and straw. (See Hay.) | |
| Tax, a, collected for illegal purposes, for the recovery of | 65 |
| Taxation, certain acts and parts of acts exempting from, to repeal | 28 |
| (See Acts and Parts.) | |
| local, manufacturers from, to exempt. (See Manufacturers.) | |
| of all property, for the..... | 48, 80, 346 |
| of banks. (See Banks.) | |
| of railroad bonds. (See Railroad Bonds.) | |
| Taxes, acts for assessment and collection of, act amendatory of, amending..... | 817, 924-25, 953 |
| and assessments, mortgagees and holders of other liens to pay, to authorize | 870, 1121 |
| assessments and collection of, act amendatory of the acts for, to amend..... | 554, 672, 792, 793, 828, 925 |
| section 8 of the act of 1851 relating to, to amend .. | 71, 125, 346 |
| collection of, in certain counties, act amending law relating to, to amend.. .. | 497, 532, 723, 837, 917, 974, 1748 |
| in towns, time for, to extend..... | 132, 207, 250, 267 |
| on certain associations and corporations, raising of, to provide for..... | 554, 672, 682, 860, 1084, 1101, 1601, 1609 |
| supplementary proceedings for collection of, act relating to, to amend | 53, 125, 217, 270, 721, 638, 917, 1015, 1779, 1853 |
| uncollected, in towns and wards, relating to.... | 53, 125, 269, 721, 843, 862, 1069, 1779 |
| unpaid, of the year 1879, certain, Comptroller to admit, | 305, 528, 619, 720, 778, 937, 1162 |
| Tax for deficiency in sinking fund. (See Sinking Fund.) | |
| Tax payers, frauds against, by official dishonesty, act relating to, to amend..... | 66, 512, 583, 717, 778, 909, 1779 |
| Tax, State, act to equalize, amending..... | 1428 |
| equalization of. (See Equalization.) | |

| | PAGE. |
|---|--|
| Telegraph companies, act for incorporation of, to amend . . . 425, | 453 |
| 506, 600, 722, 901, 981, 1141, | 1779 |
| Telephone companies, relating to | 65, 82, 86 |
| Templars of Temperance, Royal, grand council of, to incorpo- | |
| rate | 520, 602, 949, 1317, 1540 |
| supreme council of, to incorporate | 511, 602, 908, 1502 |
| | 1780, 1873 |
| Tiffany, Lyman, relief of | 469, 512, 978 |
| Timber on unoccupied lands. (See Lands Unoccupied.) | |
| procurement of, certain persons engaged in, to protect. (See | |
| Logs and Timber.) | |
| Toll-sheet for 1880 | 383, 610, 665, 878 |
| Tolls on plank-roads and turnpikes, to abolish | 976 |
| Tompkins, town of, to divide | 38, 273, 537, 701, 709, 725, 1011 |
| Tonawanda, bridge over the Erie canal at, to authorize | 131, 168 |
| | 481, 591, 801, 1517 |
| Tonawanda creek, bridge across, relating to | 496, 609 |
| Tontine annuity societies, incorporation of, for the | 399, 454, 909 |
| | 1145, 1392, 1393 |
| Towing business, owners of steamers engaged in, interference | |
| with, to prevent | 305, 601, 724, 834, 968, 969, 1339, 1468, 1646 |
| | 1674 |
| Town auditors, board of, act creating and prescribing duties of, to | |
| repeal | 677, 734, 1512, 1669 |
| Fulton county, to exempt from | 218 |
| to amend | 183, 336, 467 |
| appeals from audit by, to provide for | 53, 101, 167 |
| law conferring additional powers upon, to amend | 198 |
| Town houses, chapter 267, 1879, relating to, to repeal | 239, 334, 348 |
| relating to | 239, 334 |
| Town meetings, Revised Statutes relating to, to amend. (See | |
| Revised Statutes.) | |
| time for transacting business at, act relating to, to amend . . | 227 |
| Town officers, act reducing number of, to amend | 451, 617 |
| Towns, adjoining cities, right of suffrage in. (See Suffrage.) | |
| certain, from act amending Revised Statutes relative to pub- | |
| lic roads, to exempt | 343, 456, 558, 625, 771 |
| Townsend, James M., jr., acts to legalize | 78, 472, 581 |
| Tramps, concerning | 438, 500, 555, 698, 790, 948 |
| Transportation, rates of, to equalize. (See Property, Transpor- | |
| tation of.) | |
| Traveling public, protection of, for the better | 58, 113, 171, 181 |
| | 205, 949, 1090, 1096, 1213 |
| Trials, law of evidence and practice at, to amend. (See Evi- | |
| dence.) | |
| Troy, board of school commissioners in, act organizing, to amend. | 148 |
| | 168, 229, 254, 282, 302, 304, 308, 317, 333 |
| bonds for school buildings, to issue | 240, 714 |
| charter of, to amend | 36, 713 |
| to amend | 66, 79, 230, 254, 290, 303, 304, 324 |
| to amend | 527, 552, 703, 790, 828, 945, 1171, 1321, 1365 |
| | 1448, 1638 |
| district courts in, to establish | 66, 73, 129 |

| | PAGE. |
|---|-------------------------------|
| Troy, fire department of, board of trustees of, to incorporate, 174, | 372 |
| 467, 577, 590, 726, | 1161 |
| justices' court in, various acts relating to, to amend.... | 393, 432 |
| 580, 719, 784, 930, | 1162 |
| police force in, to establish and maintain.... | 147, 168, 230, 535 |
| 823, 824, 980, 1054, 1059, 1171, 1287, | 1385 |
| Young Men's Association of, charter of, to amend. 173, 199, | 464 |
| 621, 692, 710, | 1162 |
| Trustees, mingling trust funds with their own funds, to punish. | 119 |
| sureties of, for the relief of..... | 132, 270, 559, 836, 980, 1000 |
| 1753, | 1876 |
| Tubular Transit Company, charter of, amending.... | 1119, 1299, 1437 |
| | 1633 |
| Tully, town of, commissioners of excise in, acts of, to confirm. | 268 |
| 500, 582, 1145, 1297, 1344, | 1472 |
| Tunneling and bridging for transportation purposes, in cities and villages, to provide for..... | 554, 714, 1489, 1533, 1705 |

U.

| | |
|--|--------------------------------------|
| Ulster, county, board of supervisors of, acts relative to town of Kingston, to confirm..... | 66, 270, 465, 622, 692, 744 |
| to issue certain bonds..... | 30, 61, 62 |
| plank roads and turnpikes in, inspection of, act repealing act relating to, to repeal.. | 184, 272, 466, 624, 693, 753 |
| | 859 |
| town of, temporary relief of poor of, relating to.. | 394, 475, 584 |
| 1511, | 1819 |
| village, charter of, amending.. | 430, 885, 1148, 1319, 1457, 1569 |
| | 1778 |
| Unadilla, town of, commissioners of, act for payment of certain moneys by, to amend..... | 546, 797, 1323, 1555, 1830 |
| Union Plank Road Company, relief of.. | 484, 601, 724, 842, 917, 1035 |
| | 1779 |
| United States deposit fund, loan of, relating to | 39 |
| loans from, rate of interest on, to reduce.... | 409, 453, 722, 835 |
| 917, 968, 1524, 1709, 1780, 1822, | 1873 |
| United States, jurisdiction over lands, ceding to. (See names of places where land is situated.) | |
| United States Loan and Security Company, charter of, to amend. | 542 |
| 764, 902, | 1152 |
| Universalists, New York State Convention of, act incorporating, to amend..... | 76, 221, 908, 1037, 1391, 1392, 1638 |
| Utica, Bleecker street in, expense of grading, relating to.. | 253, 474 |
| bridge on Genesee street over Erie canal, to construct.. | 165, 199 |
| 557; 823, 921, 1049, 1186, | 1708 |
| charter of, to amend | 544, 616, 1493, 1765, 1877 |
| money to borrow..... | 1043, 1267 |
| public market in, to provide..... | 677, 1431 |
| St. Luke's Church, associate rector of, act relating to, repealing | 1776 |
| wards in, new, to create..... | 65, 176, 248, 259, 260, 294 |

V.

| | |
|--|---|
| Vacancies in office. (See Office.) | AGE . |
| Van Cott, Whitfield, for relief of..... | 268, 448 |
| Vandewater, Mary A., relief of..... | 439, 476, 1324, 1504, 1791 |
| Vescelius, Casper B., acts of, to legalize.... | 762, 887, 1147, 1318, 1392 |
| | 1562 |
| Vessels, bills on. (See Bills.) | |
| Veterinary medicine and surgery, practice of, to regulate... | 677, 845 |
| Vetoed: | |
| Brooklyn, charter of, to amend..... | 345 |
| Water street, railroads on..... | 1481 |
| Eighteen Mile creek, west branch of, enlargement of..... | 1715 |
| Instruction, public, act consolidating the general acts relating to, to amend..... | 544 |
| Jefferson county, waters of Lake Ontario in, from sections 23 and 26 of game law, to release..... | 626 |
| Kings county, board of supervisors of, clerk and assistant clerk, term of office of..... | 381, 382 |
| Loon lake, fish in, to preserve..... | 1328 |
| Middleburgh, village of, act making separate road district, amending.. | 374 |
| Niagara county, board of supervisors of, additional powers upon, relative to expenses for support of poor, to convey notaries public, additional, providing for..... | 405 800 |
| Victor, village, boundaries of, establishing..... | 1299, 1316 |
| Villages, act for incorporation of, sec. 5, title 3 of, to amend.. | 196 |
| 231, 465, 571, 589, 641, 875, | 949 |
| section 9, title 1, to amend..... | 469, 680, 1147, 1777, 1807, 1875 |
| section 90 of, to amend,.... | 90, 272, 485, 573, 589, 651, 1042 |
| to amend..... | 66 |
| to amend..... | 119, 532, 581, 900, 1211, 1218 |
| to amend..... | 195, 231, 465 |
| to amend..... | 306, 448, 580, 923, 1194 |
| to amend..... | 392, 475, 582, 621, 692, 743 |
| to amend..... | 763, 810, 984, 1126, 1316, 1334, 1585, 1629 |
| | 1700, 1875 |
| committee on, communication from..... | 231 |
| incorporation of, relating to..... | 198, 231, 394, 406, 442 |
| indebtedness of, bonded. (See Indebtedness.) | |
| police justice in, act for election of, section 2 of, to amend, | 469 |
| | 820 |
| police justices in, and costs on proceedings for misdemeanors, relating to..... | 145, 500, 559, 621, 692, 742, 1267 |
| sidewalks in, construction of, to facilitate, 60, 680, 764, 902, | 1008 |
| | 1157, 1228, 1472 |
| trustees of, election of, in certain cases, to confirm, 800, 885, | 984 |
| | 1125, 1241, 1304 |
| to expend money for water supply, to enable | 29 |
| Villa Park. (See Homestead Associations.) | |
| Vinegar, cider, sale of adulterated, to prevent, 662, 692, 909, | 1423 |
| | 1589, 1778 |
| Vivisection of animals. (See Animals.) | |
| Volney, town, bonds of, tax for, relating to..... | 1435, 1492, 1555 |
| sale of railroad stock by. (See Oswego City and Volney.) | |

| | PAGE. |
|--|---|
| Volunteers who served in the Mexican war, survivors of the first regiment of, to relieve..... | 48 |
| Voting by women for school officers. (See School Officers.) | |
| W. | |
| Wages, persons working for, justice to, to secure | 483, 499 |
| Walden, charter of, to amend..... | 301, 333, 376, 563, 815, 987, 988 |
| Waller, John, for relief of..... | 145, 1006 |
| Wallkill creek, fish-traps from, to remove..... | 869, 1082, 1439, 1649 |
| navigation of waters of, by steamboats, to provide for, 395, | 468 |
| 623, 693, 750, | 1267 |
| part of, from game law, to exempt..... | 148, 340, 468, 574, 590 |
| Walton Water Company, acts of, to legalize, 217, 453, 919, 1215, | 1219 |
| | 1638 |
| Warren, Geo. M., acts of, to legalize, 278, 391, 468, 570, 588, 639, | 1251 |
| | 1366, 1422 |
| Warwick, Excelsior Hose Company of, to incorporate, 253, 401, | 580 |
| | 921, 1049, 1187, 1748 |
| Water for villages, relating to. (See Villages.) | |
| Waterloo, and Fayette, bridge between. (See Fayette.) | |
| fire department of, to incorporate, 97, 231, 465, 571, 589, | 640 |
| | 1162 |
| Water supply, companies for increasing, formation of, to authorize..... | 146, 213, 555 |
| Water tax, charitable institutions, to exempt from. (See Charitable Institutions.) | |
| Watertown, city of, bonds for water supply, to issue, 507, 531, | 702 |
| | 816 |
| charter, sections 4 and 5, title 2 of, to amend, 195, 220, 628, | 696 |
| | 779, 782, 1739, 1876 |
| Waterville Opera House Company, powers, to enlarge..... | 1592, 1776 |
| Watervliet, election of town officers in, relating to, 106, 150, 187, | 261 |
| | 303 |
| first collection district of, peace in, to preserve..... | 1435 |
| Water ways, construction of, act to facilitate, amending, 484, | 1048 |
| | 1324, 1502, 1772 |
| Water-work companies, laws for the formation of, to amend, 332, | 399 |
| | 477, 495 |
| Watkins, fire department of, charter, to amend, 1117, 1303, 1341 | |
| | 1483, 1778 |
| Ways and means. (See Government.) | |
| Wellsville, village of, appropriation of highway money for sidewalks, relating to, 413, 475, 582, 835, 889, 971, 1267, 1331, | 1365 |
| | 1485 |
| Westchester, county, and New York, bridges over Bronx river between. (See Bronx River.) | |
| act exempting from provisions of Revised Statutes relative to drainage, relating to | 1474, 1657 |
| certain offices in, keeping open, relating to, 30, 214, | 464 |
| | 721, 778, 939, 1251, 1366, 1421, 1464, 1637 |
| sales of land for taxes, law relating to, amending, 853, | 888 |
| | 1148, 1504, 1792, 1874 |
| superintendents of poor in, relating to, 295, 336, 467, | 570 |
| | 635, 1468, 1711, 1756, 1875 |

| | PAGE. |
|--|-----------------------------------|
| Westchester, town of, bonded debt, to refund, 196, 214, 465, 569, | 589 |
| | 634, 858 |
| lighting of streets in, to authorize, 449, 475, 581, 719, 779, | 929 |
| trustees of, act abolishing, to amend, 219, 271, 465, 1423, | 1571 |
| Western New York Agricultural Society, voting in, relating to, | 240 |
| | 396, 468, 716, 779, 786, |
| | 1163 |
| Society for the Protection of Homeless Children, to | |
| reorganize | 195 |
| West Farms and Morrisania. (See Morrisania.) | |
| West Point, certain pond and lands at, jurisdiction over, to the | |
| United States, to cede, 306, 402, 515, 521, 539, 628, 646, 1800, | 1873 |
| Westport, town, money for bonds of, investment of, 1291, 1341, | 1411 |
| | 1585 |
| West Troy, village of, board of fire commissioners for, to estab- | |
| lish | 586, 681, 896, 1005, 1324, 1505, |
| sewer in Utica street, for construction of | 1849, 1856 |
| Whitney, Franklin C., official acts of, to legalize, 429, 471, 581, | 922 |
| | 981, 1193, |
| | 1778 |
| Whitney's Point, village of, highway labor in, relating to, 482, | 533 |
| | 584, 623, 751, 883, 1051, |
| | 1271 |
| Williams, Samuel, official acts of, to legalize, 332, 390, 468, 570, | 588 |
| | 639, 1778 |
| Will or codicil, to steal or destroy, making a felony, 868, 1006, | 1326 |
| | 1509 |
| Wills, act of 1864 relating to, to amend | 98, 798 |
| certain, admission of, as evidence, act to facilitate, amend- | |
| ing | 869, 1121, 1324, |
| disputed, act amending law of 1853 relating to, to repeal .. | 60 |
| Wilmington, town of, action of electors of, to confirm, 762, 797, | 804 |
| | 854, 956, |
| | 1778 |
| Wilson, trustees of, powers of, to extend, 127, 176, 464, 570, 589, | 640 |
| | 703 |
| Wolcott, act for incorporation of villages, to amend relative to, | 287 |
| | 533, 908, 1036, 1085, 1259, |
| | 1709 |
| Women, as pedestrians. (See Pedestrians.) | |
| disfranchisement of, at presidential elections, to forbid | 286 |
| house of correction for, to establish | 1592, 1627 |
| houses of refuge for. (See Houses of Refuge.) | |
| voting by. (See School Officers.) | |
| Wood, Henry G., acts of, to legalize | 1299, 1490, 1676, |
| | 1876 |
| Workmen, Ancient Order of United, Grand Legion of, to incor- | |
| porate | 77, 171, 237, 423, 481, 916, 981, |
| | 1178 |
| Writs of error in behalf of the people in criminal cases, relating | |
| to | 82, 175, 1324, 1505, |
| | 1794 |
| Wundus, Emily. (See Aliens.) | |

Y.

| | |
|---|-----------------------------|
| Yonkers, city of, certain bonds, to issue. (See New York, Man- | |
| hattan Savings Institution of.) | |
| charter of, to amend | 806, 833, 1199, 1200, 1541, |
| police force in, act relating to, amending, 912, 1050, 1170, | 1637 |
| taxable inhabitants of, relief of, for the | 425 |
| Yonkers city, water supply, act relating to, amending, 1291, 1342 | |
| | 1410, 1637 |

